ORDER

5280.5B

AIRPORT CERTIFICATION PROGRAM HANDBOOK

October 7, 1994

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

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CHANGE TO BASIC	SUPPLEMENTS			OPTIONAL	CHANGE TO BASIC	SUPPLEMENTS			OPTIONAL

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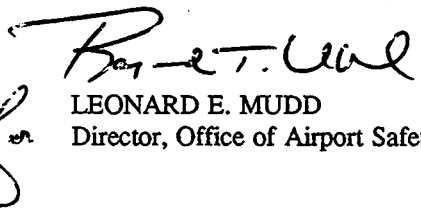
FOREWORD

1. **PURPOSE.** This Order is designed to provide Federal Aviation Administration (FAA) personnel with the necessary policy guidance and standard procedures for the day-to-day conduct of the Airport Certification Program. It includes the inspection, certification and surveillance of airports and the compliance and enforcement activities required by 14 CFR FAR Part 139, Certification and Operations: Land Airports Serving Certain Air Carriers.

2. **DISTRIBUTION.** This Order is distributed to the division level of the Office of Airport Safety and Standards, the Office of Airport Planning and Programming; to the branch level at Regional Airport Divisions and all Airport District Offices; and to the division level at regional Flight Standards, Air Traffic, Airway Facilities and Aviation Security Divisions.

3. **CANCELLATION.** Order 5280.5A, Airport Certification Program Handbook, dated September 12, 1989, and Order 5280.4D, Airport Certification Safety Inspector's Credentials, dated February 13, 1987, are cancelled.



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CHAPTER 1. INTRODUCTION

100. PURPOSE. This Order is designed to provide FAA personnel with the necessary policy guidance and standard procedures for the day-to-day conduct of the Airport Certification Program, including the inspection, certification and surveillance of airports, and the compliance and enforcement activities required by FAR Part 139.

The virtually limitless number of variations in airport operations and circumstances render it impractical to prescribe each detailed action appropriate for each situation encountered. This Order provides program policy guidance which, when properly applied by credentialed Airport Certification Safety Inspectors (ACSI), helps ensure a uniform and consistent program. It is imperative that each credentialed ACSI be thoroughly conversant with the provisions of this Order, and the other material referenced in this Order as pertinent to the proper execution of this program.

101. RESPONSIBILITY. The publication, change or cancellation of material in this Order is the responsibility of the Airport Safety and Compliance Branch (AAS-310), Airport Safety and Operations Division (AAS-300), Office of Airport Safety and Standards (AAS-1).

102. OBJECTIVES.

a. To fulfill the Airport Certification Program requirements in accordance with the Federal Aviation Act of 1958, as amended, and 14 CFR Part 139.

b. To encourage and promote the establishment of reasonable programs for enhancing and improving airport safety to benefit the aviation community.

c. To provide guidance to the ACSIs in administering the program.

d. To promote standardization among regions in application of program procedures and practices.

103. PROCEDURES FOR UPDATING. All ACSIs are encouraged to submit recommendations, for proposed revisions, additions, or deletions which they consider beneficial to the program. In the accomplishment of their jobs, ACSIs must be alert to the adequacy and content of the regulations and agency directives with which they work.

Proposals to change the regulation and agency directives by a regional credentialed ACSI shall be forwarded to AAS-300 through the regional airport division manager and shall include rationale for the proposed action.

104. WORD MEANINGS. As used in this handbook:

a. *Shall*, or an action verb in the imperative sense, means a procedure is mandatory.

b. *Should* means a procedure is recommended.

c. *May* or *need not* means a procedure is recommended.

d. *Will* means futurity, not a requirement for the application of a procedure.

e. Singular words include the plural.

f. Plural words include the singular.

105. TEXT IN ITALICS. Italics in the text is intended to give expanded guidance and/or policy concerning a particular point. Italics are primarily found in Chapter 3.

106-199. RESERVED.

CHAPTER 2. POLICY STATEMENT/CERTALERTS/SIGNS AND MARKING SUPPLEMENT/AVIATION SAFETY REPORTING SYSTEM

200. INTRODUCTION. The following three systems are used by AAS-300 to forward program policy and information, both general and specific, relating to FAR Part 139 and other related subjects.

201. POLICY STATEMENTS.

a. Purpose. Policy statements provide headquarters guidance and interpretation of the regulatory requirements and provide background on the meaning of sections of the regulation.

b. Program Use. The need for a policy statement can be identified either by headquarters or a region. If a need is identified in the regions, the ACSI shall submit a written request to AAS-300 for review. AAS-310 is the control or focal point to monitor the status of policy statements. AAS-300 shall provide a written response within 60 days after the request is received.

c. Development. Policy statements are a responsibility of AAS-310. Draft policy statements are coordinated within headquarters for discussion and signed by AAS-300.

d. Implementation and Distribution. Policy statements shall be distributed by AAS-310 to the ACSIs. They are sequentially numbered, dated and effective as soon as issued.

e. Updating/Cancellation. Policy Statements will be reviewed periodically and may be incorporated into appropriate sections of directives or cancelled. This Order contains all previously issued Statements which are still applicable.

f. Regional Responsibilities. Each regional Airports division shall maintain a central file containing current policy statements. Each ACSI shall maintain a current copy of the Policy Statements for use during inspections.

202. CERTALERTS.

a. Purpose. A CERTALERT provides timely information to ACSIs on a broad range of safety and airport certification related subjects. It is advisory in nature, nondirective, and has no regulatory authority.

b. Development. CERTALERTS are the responsibility of AAS-310. Input for CERTALERTS is accepted from almost any source, as long as it pertains to the Airport Certification Program or airport safety. ACSIs are encouraged to submit items for publication.

c. Implementation and Distribution. AAS-310 is responsible for the publication and distribution of CERTALERTS.

d. Updating/Cancellation. Periodically, the CERTALERT subject index is updated and distributed to ACSIs. This index will indicate if a CERTALERT is current or cancelled. CERTALERTS are issued on a calendar year basis and numbered consecutively.

203. SIGNS AND MARKING SUPPLEMENT (SAMS).

a. Purpose. SAMS is a means to provide answers to questions that arise concerning standards and specifications for airport signage and marking systems and promote uniform implementation. SAMS may relate the rationale underlying the development of and/or policies on application of the standards, or specifications of equipment contained in the following advisory circulars (AC): AC 150/5340-1, Standards for Airport Markings; AC 150/5340-18, Standards for Airport Sign Systems; and AC 150/5345-44, Specification for Taxiway and Runway Signs. The clarifications given by SAMS carry the same weight as AC standards.

b. Development. AAS-300 is responsible for issuing the SAMS and ensuring that responses are coordinated with the appropriate divisions in headquarters. Questions to be included in SAMS may be sent to the appropriate headquarters division or AAS-300. Unless otherwise designated, regional division managers will be the recipient of the SAMS distribution.

204. AVIATION SAFETY REPORTING SYSTEM (ASRS). The FAA uses the National Aeronautics and Space Administration (NASA) to act as a third party to receive and analyze reports under ASRS. This program is intended to ensure the safest possible aviation system by identifying and correcting unsafe conditions before they become accidents. It applies primarily to the safety of aircraft operations including departure, enroute, approach and landing operations and procedures, air traffic control procedures and communications, and airport movement areas. Pilots, air traffic controllers, members of the aviation community, and the general public are asked to file written reports of any discrepancy or deficiency noted in these areas. For additional information refer to the Airman's Information Manual (AIM) and Advisory Circular 00-46, Aviation Safety Reporting System.

From time to time ACSIs will be forwarded an ASRS report pertaining to one of their assigned airports. The ACSI must:

- Make sure that airport management is aware of the report;

- Determine the validity of the reported information and if it pertains to FAR Part 139; and

- As appropriate, follow-up with airport management to ensure that corrective measures have been or will be taken. In some cases administrative or civil enforcement may be required.

205-299. RESERVED.

CHAPTER 3. GUIDANCE FOR CONDUCTING A FAR PART 139 INSPECTIONS:

SECTION 1. GENERAL

300. TYPES OF INSPECTIONS.

a. Initial Inspection. This is the first inspection conducted by an ACSI prior to issuance of an Airport Operating Certificate (AOC) or Limited Airport Operating Certificate (LAOC).

b. Periodic Inspection. Conducted periodically, its purpose is to ensure that the certificate holder meets the requirements of 14 CFR 139 and the Airport Certification Manual (ACM)/Airport Certification Specification (ACS). A full record and report of the inspection must be made and retained in the program files. This type of inspection is recommended to be conducted at least annually. However, in the interest of manpower and resource management, the regional Airports division can apply the following:

- Certificated airports which are large, medium, and small hub airports shall be inspected annually. Nonhub airports can be inspected on an 18-month cycle.

- Limited certificated airports can be inspected on a 24-month cycle. When regions are unable to meet this goal, inspection schedules shall be established to assure every limited certificate airport is inspected at least every 36 months.

c. Surveillance Inspections. Announced or unannounced inspections conducted in addition to the periodic inspections. These inspections may be conducted for any number of reasons; a follow-up to a periodic inspection finding, to monitor airfield construction, or test the airport's continued compliance with the ACM/ACS and FAR Part 139 requirements. They are flexible in coverage and may encompass only a portion of the certification requirements. A record must be made of the visit. These inspections are not intended to be all inclusive, but may be.

301. RESPONSIBILITIES.

a. ACSIs have the responsibility for the inspection of airports which hold an AOC or LAOC and the compliance and enforcement of FAR Part 139. Each certificated airport shall be inspected at least periodically as described in paragraph 300b. Surveillance inspections are conducted on an as needed basis.

b. An ACSI should be assigned certification oversight for approximately 25 airports. Assignment of workload should take into consideration airport complexity and size; and allow sufficient time for preparation, travel, inspection, enforcement, and follow-up. It also would allow time for the ACSI to participate in airport certification related programs, such as preconstruction safety meetings, airport conferences, triennial emergency disaster simulations, safety seminars, and meeting airport operator needs such as training.

SECTION 2. THE PERIODIC INSPECTION

This section deals primarily with preparation for the periodic inspection. But, it may be used as is deemed necessary in preparing for all the inspections listed above.

302. COORDINATION.

a. Airport Operator. In the interest of maintaining a good working relationship with the airport operator, the periodic inspection should be scheduled in advance, and confirmed as soon as practicable, but no less than 2 weeks before the inspection begins. Prior tentative scheduling may be used to allow for scheduling flexibility and adjustments by airport personnel and ACSIs. Scheduling of the inspection shall be followed-up with a confirmation letter. (See Appendix 5.)

b. FAA Divisions. Other elements of the FAA are also concerned with airport safety and security. A close working relationship, plus a constant flow of information, must be maintained. In preparation for the inspection notify the following, as appropriate, through a courtesy copy of the confirmation letter about the impending inspection:

- Regional Airports Division/Airports District Office (ADO)
- Flight Standards District Office (FSDO)
- Civil Aviation Security Field Office (CASFO)

- Airway Facilities Sector Field Office (SFO)
- Air Traffic Tower
- Local Area Coordinator

These elements should also be copied with any reports relevant to their areas of responsibility.

303. REVIEW OF AIRPORT INFORMATION.

a. The ACSI shall review the following items for the airport to be inspected:

- Airport Certification Manual (ACM)/ Specifications (ACS)
- Current Exemptions from FAR Part 139 requirements
- Previous Inspection Records
- Airport File Violation History for the previous 3 years
- Any previous Legal Enforcement Investigative Reports for last 5 years
- Airport Master Record (FAA Form 5010)
- Obstruction Chart/Airport Approach Survey (if available)
- Airport/Facility Directory (A/FD)
- Accident/incident history
- Airport Compliance file, a verbal briefing is acceptable
- Airport Layout Plan (ALP) file
- Instrument Approach Procedure Charts (IAP)
- Airport Improvement Program File (a verbal briefing by the ADO is acceptable).

b. Review programmed construction projects. Check the official FAR Part 77 category of runways and evaluate this information against current approach plates, ACM/ACS, and Airport Master Record.

c. Ensure proper directives, charts, advisory circulars, and other appropriate information, are available while conducting the inspection.

d. Determine the status of follow-up actions in correcting all previously listed deficiencies.

304. THE INITIAL AND PERIODIC INSPECTION.

a. General. The certification inspection program operates under the philosophy that the certificate holder's self-inspection program is the keystone to compliance with FAR Part 139. Airport procedures for self-inspections shall be reviewed in those cases where multiple violations are found. The on-site certification inspection actually results in an evaluation of the adequacy of airport procedures on self-inspection, airport condition reporting, and corrective actions. The inspection must evaluate the airport operator's compliance with FAR Part 139 and the ACM or ACS as extensions of the regulation.

(1) Certification inspections shall be conducted in accordance with the guidance and criteria contained in Section 3 of this chapter. The general inspection procedures addressed in this section outline the recommended method for conducting a certification inspection. The basic phases of an inspection are as follows:

In Briefing
Administrative Inspection
Movement Area Inspection
ARFF Inspection
Fueling Facilities Inspection
Night Inspection
Post Inspection Briefing

The inspection agenda should remain flexible in order to have as little impact as possible on the operation of the airport. Due to high-density traffic at some airports, difficulty in gaining access to runways may be encountered. In such cases, consideration should be given to conducting movement area inspections on a weekend or early morning.

(2) Initial and periodic certification inspections shall include a night inspection of lighting and marking if the airport conducts night air carrier operations or has an instrument approach procedure. For the purpose of FAR Part 139, night inspections shall be conducted any time between official sunset and sunrise. In Alaska, these inspections shall be conducted during the period a prominent unlighted object cannot be seen from a distance of 3 statute miles or the sun is more than 6 degrees below the horizon.

(3) During the inspection, key personnel, such as the operations supervisor, maintenance supervisor, aircraft rescue firefighting (ARFF) chief, and local FAA management, should be interviewed to discuss FAR Part 139 and determine if they are familiar with procedures and responsibilities addressed in the ACM/ ACS. Be aware that FAA personnel may be reluctant to discuss problem areas when the airport operator is present. It may be preferable to visit these offices alone.

b. In briefing.

(1) Meet with the airport management to discuss the inspection agenda, current airport status, including any problem areas or new ideas affecting the airport. Recent developments pertaining to FAR Part 139 should be covered by the ACSI.

(2) Coordinate with the control tower for inspection of the movement area and the required timed ARFF response.

c. Administrative Inspection. During this phase of the inspection, the ACSI shall:

(1) Review the official airport copy of the ACM/ACS, including the Airport Emergency Plan

(AEP) and Snow & Ice Control Plan. Discuss any questions you may have had from the preinspection review of the ACM/ACS. Spot check the status of items addressed in the ACM/ACS which are likely to be changed (e.g., personnel, phone numbers, pavements, or NAVAIDs, etc.). Discuss the status of any exemptions and steps being taken to correct the deficiency if appropriate. Use the official copy of the ACM/ACS as a reference during the inspection to determine if it is current, accurate, and airport personnel are knowledgeable of procedures and responsibilities.

(2) Check the current Notice To Airmen (NOTAMs) for the airport issued by Flight Service Station (FSS or AFSS). Verify the condition information reported by the airport and the NOTAM issued are in agreement.

(3) Examine documentation for the following:

(a) Basic emergency medical and ARFF training records including an annual live-fire drill. These records may be checked during the ARFF inspection.

(b) Aviation fuel fire safety inspection records for the past 12 months and corrective actions taken for noncomplying conditions found.

(c) Certification from each tenant fueling agent concerning completion of fire safety training.

(d) Documentation of the annual review of the AEP and full-scale emergency exercise.

(e) Records of self-inspections of the airport for the previous 6 months. The inspection records must show documentation for follow-up actions for deficiencies found during self-inspection.

d. Movement Area Inspection. See Section 3 for inspection guidance and criteria.

(1) Inspect runways and taxiways in order to ascertain the condition of pavements, markings, lighting, signs, abutting shoulders and safety areas.

(2) Check the type of runway marking and compare it to the approach chart and Airport Master Record. Stop at each runway approach. Check the approach slope with an inclinometer (or other hand held survey instrument) and the runway alignment with a compass. Compare the results to the current obstruction chart and Airport Master Record and, if available, most recent approach survey.

(3) If construction is in progress, check for the following:

(a) Adherence to construction safety plan requirements.

(b) Potentially hazardous conditions to the movement area such as excavations, trenches or stockpiled material.

(c) Adequate construction area marking and lighting.

(d) Marking and lighting of temporary runway thresholds.

(e) Construction equipment in the movement area.

(4) Observe ground vehicle operations and look for the following:

(a) Limited access to movement and safety areas to only those vehicles necessary for airport operations. (See Appendix 28.)

(b) Required procedures are being used.

(c) Drivers know and use proper terminology.

(d) Vehicles are properly marked.

(5) Ensure the public is protected against inadvertent entry and jet or propeller blast.

(6) Check for the presence of any wildlife or wildlife attractants which could create a potential hazard. Question how dead animals are disposed of (i.e., small birds or rabbits). Does the procedure create a potential for attracting larger animals?

(7) Check traffic and wind direction indicators.

e. Aircraft Rescue Firefighting (ARFF).

(1) Check the ARFF curriculum and training records. The curriculum must cover all 11 subject areas listed in Section 139.319(j)(2). AC 150/5210-17, Programs For Training Of Aircraft Rescue And Firefighting Personnel, provides guideline for an acceptable curriculum. Although not regulatory, training records are recommended as the method of training documentation and strongly encouraged. These records should indicate:

- That all assigned firefighters have received initial and recurrent training. Recurrent training is defined as that training provided to an employee as often as necessary to enable him/her to maintain a satisfactory level of proficiency. Appropriate frequencies for recurrent training may very widely from airport to airport and from employee to employee.

- Have met the live fire requirement within the last 12 months.

- Document basic emergency medical care training if this requirement is met by ARFF.

(2) Randomly question firefighters in the 11 subject areas to determine validity of the training program and general knowledge of the job. Testing, written, oral, or through a practical demonstration of skills (testing is provided by Sections 139.105 and 139.301) may be used if determined necessary by the ACSI. If used, testing shall only be considered as a tool to aid in evaluating the ARFF training program and not as all conclusive. When administering a test, care should be given to test only at a level applicable for that particular airport, i.e., at Index A airports with only a 450 pound potassium and 100 gallon AFFF premix unit, firefighters may not have any knowledge of a foam proportioning system.

(3) Perform a walk-around inspection to determine if the ARFF equipment is operational and meets the Index with the required agents; this can be done in conjunction with the questioning of ARFF personnel. Make a check of ARFF vehicle maintenance records. If the ARFF department does not conduct periodic refractometer tests of the AFFF proportioning system, the ACSI should advise them to do so. In some cases, ARFF personnel may have a refractometer but may not know how to use it. Conducting a refractometer test can provide training for ARFF personnel as well as promoting a good working relationship. (See Appendix 24).

(4) Conduct a timed response drill. This may be performed from either the airfield or the tower cab. But in either case coordination should be made with local air traffic control to avoid confusion and delay. If a response test may cause a delay in the airport's air traffic, make arrangements for a later time. Safety during response tests cannot be overemphasized. If the airport has 24 hour ARFF coverage a timed response may be conducted at night. After the timed response conduct a debriefing with ARFF personnel.

(5) At the ARFF station check the alarm system for function. It may be valuable to check such things as door operation(s) and time to raise, alert telephone location and line quality and the effectiveness of the PA system with the vehicles operating.

(6) Examine proximity suits, other protective clothing and equipment for condition and availability.

f. Fuel Facilities.

(1) Examine the inspection records for the previous 12 months and the certification required by Section 139.321(f). An inspection should have been conducted at least once every 3 months. Check to see if the airport's fire safety standard is adequately covered by the inspection checklist. The inspection records must show documentation for follow-up actions/inspections for unsatisfactory items found.

(2) Conduct a spot-check inspection of physical facilities is to check compliance with the airport's fire safety standard by fueling agents and to evaluate the airport's 3-month inspection program. It is not necessary to inspect all fuel agents on the airport. However, enough facilities should be inspected to assure the ACSI that inspections are being conducted and fire safety requirements are being met. When inspecting the physical fuel facilities it is considered a good practice to coordinate with the fueling agent supervisor. Ask this supervisor if he/she has a copy of the airport's fire safety standard.

g. Night Inspection.

(1) The night inspection is conducted to evaluate runway/taxiway and apron lighting and signage, pavement marking, airport beacon, wind cone lighting, and obstruction lighting for compliance with FAR Part 139 and the ACM/ACS. Consult with air traffic about other lighting on/off the airport which may interfere with air traffic control and aircraft operations and ensure the airport operator is aware of any inadequate shielding or adjustments. A night lighting inspection shall be conducted if air carrier operations are conducted or expected to be conducted at an airport at night or the airport has an instrument approach. For the purpose of FAR Part 139, night inspections shall be conducted any time between official sunset and sunrise. In Alaska, these inspections shall be conducted during the period a prominent unlighted object cannot be seen from a distance of 3 statute miles or the sun is more than 6 degrees below the horizon.

(2) Inspect construction areas on or adjacent to movement areas for adequate marking and lighting.

h. Post-Inspection Briefing.

(1) Consolidate all notes/comments from the physical inspection, review of the ACM/ACS, results of ARFF response times, and interviews of key personnel, and determine the airport's compliance with all of the requirements of FAR Part 139. Prepare the Letter of Correction and any safety recommendations if using FAA Form 5280-6 (Appendix 10).

(2) The Airport Certification/Safety Inspection Checklist (FAA Form 5280-4, Appendix 6) shall be used for guidance during the inspection. Arrange for the post-inspection briefing with airport management to discuss results of the inspection. ACSIs must be sensitive to the comments provided the certificate holder in the presence of others. Specific violations and/or discrepancies noted during the inspection, including discrepancies in the ACM/ACS and recommendations, must be outlined at this time.

(3) If the airport operator is not in compliance with all of the requirements of FAR Part 139, the

ACSI must determine the appropriate enforcement action, giving consideration to all available facts. See Chapter 5. If the condition is unsafe, immediate action shall be taken to eliminate the unsafe condition or close the affected area.

(4) Ascertain what assistance the FAA may be able to render the airport operator.

(5) If an airport operator is in full compliance with FAR Part 139, the ACSI may issue a closing of inspection letter (Appendix 15) on-site or upon return to the office.

(6) Use a suspense file or similar system for follow-up on Letters of Correction. The importance of prompt follow-up on Letters of Correction which are past the agreed due date cannot be overemphasized.

SECTION 3. PARAGRAPHS OF PART 139--GUIDANCE

GENERAL. This chapter provides clarification and guidance on various sections of FAR Part 139. Paragraphs of the regulation which are not discussed in this section are considered to be self-explanatory. ACSIs must use reasonable judgment in the application of the regulation. It is extremely important that an ACSI does not regulate beyond the regulation.

305. APPLICABILITY - 139.1.

a. Nonapplicable Airports. FAR Part 139 is not applicable to airports at which only air carrier training, ferry, aircraft check or test operations are conducted. Nor does it apply to airports at which air carrier operations are conducted only by reason of the airport being designated as an alternate airport. (Reference: FAR Part 121.590, which states that an air carrier may designate and use, as a required alternate airport for departure or destination, an airport that is not certificated under FAR Part 139).

b. The requirement of FAR Part 121.590 for air carriers to use only FAR Part 139 airports is not applicable for all-cargo air carriers through the exception given in FAR Part 121.3(h).

c. Dual Configured Airport. Certain airports that are used jointly by air carriers and general aviation, and have clearly identifiable and separate areas, may be considered dual configured, and the air carrier portion only may be certificated under FAR Part 139. With the exception of fuel facilities, areas excluded from FAR Part 139 provisions shall be explicitly identified in the ACM/ACS.

d. Military Airfields. All military airfields (those owned by the Department of Defense [DOD]) serving scheduled or unscheduled air carrier aircraft are required to be certificated under FAR Part 139. Certification of these airports is accomplished under an FAA/DOD agreement which grants an exemption from certain requirements of FAR Part 139 (Appendix 1). Application for certification of a military airfield is initiated by the respective service within the DOD. The DOD requests certification of airports from FAA headquarters. AAS-300 shall prepare the certificate and return it to the DOD. According to the military, their directives and regulations concerning the operation and maintenance of military airfields, including ARFF equipment and operations, meet or exceed the minimum level of safety required by FAR Part 139. FAA inspections of certificated military airfields are not required, however, an inspection can be conducted when requested by the military.

(1) **Annual Verification.** As a means of assuring continued compliance, FAA requires that DOD verify that the certificated military airports are in compliance with the DOD directives and regulations approved for this purpose by the FAA. This is required by Section 612 of the Federal Aviation Act, as amended.

(2) **Joint-Use Military/Civil Airports.** A Grant of Exemption for the DOD covers joint-use, military/civil airports, where air carriers operate on a scheduled basis. The military is the owner and primary operator, and the Grant of Exemption specifies that they must require all civil tenants to comply with applicable DOD directives.

(3) **Inspection of Military Airfields.** In view of the DOD system of control, the FAA does not anticipate the need for routine certification inspections of these airfields and has so advised the DOD. It may be necessary to investigate incidents, accidents, or complaints involving air carrier operations. Any such FAA visit to military installations must be coordinated in advance through the regional Military Liaison Officer.

(4) **Air Carriers Under Exclusive DOD Contract.** Aircraft operating under DOD contract are normally charters that have been leased by the Air Mobility Command (AMC) as the single manager for DOD airlift, or by the Military Traffic Management Command (MTMC), as single manager for DOD charters within the United States. Scheduled logistics support airlift "LogAir" and "QuickTrans," provided by air carriers under contract to AMC, operate into many military installations throughout the U.S. By special

agreement between DOD and FAA, those military airfields whose only air carrier operations are under exclusive DOD contract are exempt from certification pursuant to FAR Part 139.

(5) Air Carriers On NonDOD Business. The military services are often requested to allow aircraft that are chartered from air carriers, for a variety of reasons, to use military airfields. Under FAR Part 121 the air carrier cannot land unless the military installation is certificated. These charters may be political campaign trips or they may be fostered by military oriented groups. Such charters are not under DOD contract and those military installations must be certificated prior to the operation of the chartered flight. If a carrier has contracted with the military to provide aircraft and crews for the exclusive use of the military and is not providing service to anyone else, then that carrier's aircraft would be considered as public aircraft and, as such, would not be required to land at certificated airports. The airport would be certificated only at the request of DOD.

There may be cases where military charter flights operating under FAR Part 121 have landed at noncertificated military airfields. In these cases, it is the responsibility of the military to have obtained an AOC. However, if a military charter operating under FAR Part 121 operates into a civil airport that does not have an AOC, the airport operator would be in violation of Section 139.1, the carrier would be in violation of FAR Part 121.590, and the incident should be investigated for possible enforcement action.

306. DEFINITIONS - 139.3.

a. Air Carrier Under FAR Part 139. For purposes of FAR Part 139, the definition stated in section 139.3 will be used. It includes all air carrier operations involving aircraft with a passenger seating capacity of more than 30 passenger seats; in other words FAR Part 121 and FAR Part 129 operations*. It does not include commercial operators operating under FAR Part 125 (e.g., travel clubs, corporate operators, etc.) or operations conducted with large aircraft under FAR Part 91.

* FAR PART 121 - CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

* FAR PART 129 - OPERATIONS: FOREIGN AIR CARRIER AND FOREIGN OPERATORS OF U.S.-REGISTERED AIRCRAFT ENGAGED IN COMMON CARRIAGE

b. Modification of Standards. Any change to standards applicable to an airport design or construction project necessary to accommodate a unique local condition on a specific project and approved prior to construction of the modification. A modification to standards should not be issued where projects were not constructed to current design standards. These areas should be identified in the ACM/ACS. (Refer to FAA Order 5300.1, Approval Level For Modification Of Agency Airport Design and Construction Standards.)

c. Scheduled Operations of Air Carriers. Operations that are conducted in accordance with a published schedule for passenger operations which includes dates or times (or both) that is openly advertised or otherwise made readily available to the general public. For the purpose of FAR Part 139, scheduled means the ability of the general public to purchase a ticket up to the scheduled departure time at an airline ticket counter or aboard the aircraft.

This definition is the same as found in SFAR No. 38-2 and is consistent with the definition of Scheduled Passenger Operations in FAR Part 108. Our interpretation is that an airport having any scheduled operation of an air carrier (a landing or a take-off) would require a full operating certificate. FAR Part 121 charters, even if operated on a predictable timetable such as repetitive recreational area charters, are considered as nonscheduled operations.

d. Other definitions given in FAR Part 139.3 are considered to be self-explanatory.

307. AIRPORT CERTIFICATION STANDARDS AND PROCEDURES - 139.5.

a. To achieve standardization, it is policy to allow deviations from AC standards only in unique circumstances where a clear need dictates and where FAA believes an acceptable level of safety will be achieved. Other means of compliance not in accordance with AC standards, which are acceptable to the Administrator, shall be documented in the ACM/ACS. If the airport wishes to use something other than an FAA AC standard in order to satisfy a FAR Part 139 requirement, the airport operator must document:

(1) Why the AC standard cannot be achieved.

(2) How the airport's proposal is at least equal to the AC standard in providing an acceptable level of safety.

This documentation should be evaluated by the ACSI in consultation with other appropriate regional staff and a determination of acceptability made.

b. To ensure consistency nationwide, some AC standards are not subject to "other means of compliance acceptable to the Administrator." These AC's (current edition) are as follows:

(1) AC 150/5340-1, Marking of Paved Areas on Airports.

(2) AC 150/5340-24, Runway and Taxiway Edge Lighting System.

(3) AC 150/5340-18, Standards for Airport Sign Systems.

(4) AC 150/5340-4, Installation Details for Runway Centerline Touchdown Zone Lighting Systems.

(5) AC 150/5340-19, Taxiway Centerline Lighting System.

(6) AC 150/5345-12C, Specification for Airport and Heliport Beacon.

308. CERTIFICATION REQUIREMENTS - 139.101. This section addresses the requirement for air carriers under FAR Part 121.590 to operate in and out of airports certificated under FAR Part 139. FAR Part 139.101(b) permits the operator of an non-certificated airport, when authorized by the Administrator, to serve unscheduled air carrier operations with aircraft having a seating capacity of more than 30 passengers. This provision is designed to address emergency and unusual circumstances, such as the operation of air carrier aircraft transporting forest firefighters, or air carriers which may accompany Air Force One (Public Use Aircraft). Upon request by the airport owner, and in coordination with regional Flight Standards, the Airports division manager may authorize such operations and issue a Letter of Authorization. (See Appendix 23 and paragraph 401c.) Such authorization shall be predicated on a site visit within the last 36 months.

309. APPLICATION FOR CERTIFICATE - 139.103. Application for an AOC or LAOC must be made on FAA Form 5280-1 (Appendix 3). An application for an AOC/LAOC shall be submitted with two copies of an ACM/ACS, sufficiently far enough in advance of an intended operation, to allow the conduct of an inspection, approval of the ACM/ACS, and preparation of the certificate and associated correspondence. This same form may be used in applying for amendments to the AOC. However, a transmittal letter is normally used by airport operators when applying for exemptions or amendments.

310. INSPECTION AUTHORITY - 139.105. This authority is implied through the Federal Aviation Act of 1958, as amended, Section 612, which empowers the Administrator to issue AOC's and establish minimum safety standards for air carrier aircraft with more than 30 passenger seats.

311. ISSUANCE OF CERTIFICATE - 139.107.

a. Execution of the Certificate. The AOC can be processed after the region has approved the ACM/ACS and an initial inspection has determined the airport to be in full compliance with FAR Part 139.* An inspection is not needed at an airport downgrading from an AOC to an LAOC. However, an inspection is required at an airport upgrading from an LAOC to an AOC. The initial inspection shall be conducted in accordance with the procedures and criteria outlined in section 1 of this chapter.

* A Letter of Correction can be issued with the AOC to address minor discrepancies which are unresolved at the time the certificate is issued. Any necessary exemptions shall also be issued with the AOC to document FAR Part 139 requirements which the airport operator will not be required to comply with at the time the certificate is issued.

(1) Application Form. Complete the FAA USE ONLY sections of the application, FAA Form 5280-1 (Appendix 3). In the Remarks section, for airports downgrading to a limited certificate, add the following remark: "Airport previously held a full Airport Operating Certificate". If an LAOC is for temporary issue, in the Remarks section add the effective date(s) and times of the certificate.

(2) Airport Operating Certificate (Appendix 4). The AOC must be completed in the following manner:

(a) Name. The name of the airport, associated city, and state, must be included on the appropriate line. This information should be consistent with information on the FAA Form 5010.

(b) Airport Operating Certificates. Directly after the sentence that ends "contained herein," add: "or in the currently approved Airport Certifications Manual on file with the FAA."

(c) Limited Airport Operating Certificates. Directly after the sentence that ends "contained herein," add: "or in the currently approved Airport Certification Specifications on file with the FAA."

(d) Temporary (Time) Limited Airport Operating Certificates. Directly after the sentence that ends "contained herein," add: "or in the currently approved Airport Certification Specifications on file with the FAA. This certificate is in effect for the period 0001 (time zone), (Date) to 2400 (time zone), (Date)."

(e) Effective Date. The effective date is the date the airport is in compliance with FAR Part 139, as determined by the regional Airports division manager.

(f) Issued At. Enter the city in which the regional office is located and the date of signature.

(g) Signature Authority. The Assistant Administrator for Airports (ARP-1) has delegated the

approval/signature authority to the regional Airports division manager. However, if the regional Airports division manager is not available for an extended period of time, and the certificate needs to be issued during his absence, it is appropriate for the acting division manager to sign the certificate.

(3) **Cover Letter.** Prepare the cover letter to transmit the certificate.

(4) **National Flight Data Center (NFDC) Action.** After the AOC has been issued, the ACSI sends a copy of the marked-up FAA Form 5010 to AAS-330 for NFDC action, noting the appropriate ARFF Index, if appropriate.

b. Suspension/Revocation of Certificate. See Chapter 5, paragraph 503c(4)(b).

c. Environmental Categorical Exclusions. Order 5050.4, Environmental Handbook, current edition, paragraph 23, identifies items that may be classified as Categorical Exclusions (CE), FAR Part 139 certification is included in that list and, therefore, does not formally require an environmental assessment (EA). However, if issuing an AOC is likely to be controversial on environmental grounds (i.e., social impacts) or cause sustantial division or disruption of an established community, an EA is required in accordance with paragraph 24, Extraordinary Circumstances) of the same Order.

312. DURATION OF CERTIFICATE - 139.109. FAA has the authority to revoke a certificate if an airport no longer meets standards and/or requirements of FAR Part 139. Downgrading an airport with an AOC to a Limited AOC (LAOC) because there is no longer scheduled air carrier service or revoking a certificate due to serious safety problems must be coordinated with AAS-300.

313. EXEMPTIONS - 139.111.

a. In accordance with Section 139.111 of the regulation, the certificate holder may petition for an exemption under Section 11.25, Petitions for Rule Making or Exemptions, from any requirement of FAR Part 139. The ACSI must determine that:

(1) Any exemptions issued to the airport are current and necessary.

(2) All conditions of the current exemptions are being met.

(3) Appropriate steps are being taken toward correcting deficiencies that made the exemption necessary.

b. Exemptions shall be time limited and normally not exceed 1 year. Exemptions that require more than 1 year must be coordinated with AAS-300 and shall be monitored during the periodic Airport Certification Inspection. This keeps the exemption in the review process which results in closere monitoring of airport operator actions to terminate the exemption.

c. An exemption is not a "Modification of Standards." Order 5300.1E, Approval Level for Modification of Agency Airport Design and Construction Standards, contains information and guidance for issuing modifications to standards. Paragraph 5, EXEMPTIONS, reads "Exemptions and waivers to Federal Aviation Regulations Part 139, are not covered by this order." Therefore, a modification to standards is not issued as a means of achieving compliance with FAR Part 139 rquirements. If, however, a modification to standards is issued in the context of Order 5300.1E, it should be addressed in the ACM/ACS.

d. Exemptions for ARFF requirements under Section 139.111(b) will not be considered except under unusual situations, and must be coordinated with AAS-300.

e. Current exemptions will be kept with the individual airport certification file and available for inspection.

f. Also see Chapter 9, Petitions of Exemptions.

314. AIRPORT OPERATING CERTIFICATE AIRPORT CERTIFICATION MANUAL (ACM) 139.201.

a. The ACM is legally an extension of the regulation and provides the bridge between the broad requirements of the regulation and the procedures and facilities in place at each airport to meet those requirements. The importance of what the ACSI approves in the ACM cannot be overemphasized.

b. AC 139.201-1, Airport Certification Manual and Airport Certification Specifications, current edition, provides additional guidance for the ACSI.

c. Portions of the movement area excluded from FAR Part 139 must be identified in the ACM. These areas are inspected as part of the FAA Airport Master Record (FAA Form 5010) update, but must not be cited as violations to FAR Part 139. If a runway is excluded from the certificate, it must also be closed to air carrier use and so identified in the Airport/Facility Directory (A/FD). Runways with weight restriction indicated in the A/FD do not necessarily restrict air carrier operations. The excluded areas should also be listed as appropriate in any letters of agreement with the ATCT. At airports which are required to have a Surface Movement Guidance and Control System (SMGCS) Plan, only those parts of the plan which are relevant to FAR Part 139 are included. It is important that ACSIs assure that the parts that are incorporated

are consistent with and do not conflict with FAR Part 139 requirements and procedures.

315. PREPARATION OF AIRPORT CERTIFICATION MANUAL (ACM) - 139.203. AC 139.201-1, Airport Certification Manual and Airport Certification Specifications, current edition, provides additional guidance for manual preparation.

316. CONTENTS OF AIRPORT CERTIFICATION MANUAL (ACM) - 139.205.

a. The elements listed in this section of the regulation are the minimum subjects which must be included in the ACM. Airport operators are to be discouraged from including items in the ACM which do not pertain to FAR Part 139. However, ACSIs should encourage airport operators to include additional sections in the ACM which would be beneficial (e.g., Contents, Distribution List, Procedures for Maintaining Currency of ACM, etc.).

b. As part of the inspection, the ACSI must determine that:

(1) The ACM contains the required elements addressing the provisions of FAR Part 139, Subpart D. This is usually accomplished during the preinspection review.

(2) The ACM is current and reflects actual conditions and operations at the airport.

(3) At least one complete and current copy of the approved ACM is maintained at the airport.

(4) Each page of the ACM has the date of initial approval or the date of the latest revision.

(5) Documentation showing a level of safety equal to that contained in the AC's is available in cases where nonstandard procedures and modification to standards are used.

317. LIMITED AIRPORT OPERATION CERTIFICATE: AIRPORT CERTIFICATION SPECIFICATIONS (ACS) - 139.209.

a. The ACS is legally an extension of the regulation and provides the bridge between the broad requirements of the regulation and the procedures and facilities tailored to each airport to meet those requirements. The importance of what the ACSI approves in the ACS cannot be overemphasized.

b. AC 139.201-1, Airport Certification Manual and Airport Certification Specifications, current edition, provides additional guidance for the ACSI.

c. Portions of the movement area excluded from FAR Part 139 must be referenced in the ACS. It is recommended these areas be inspected in the interest of aviation safety but must not be cited as violations to FAR Part 139. If a runway is excluded from the certificate, it must also be closed to air carrier use and so identified in the A/FD. Runways with weight restriction indicated in the A/FD do not necessarily restrict air carrier operations. These excluded areas should also be listed as appropriate in any letters of agreement with the ATCT.

318. PREPARATION OF AIRPORT CERTIFICATION SPECIFICATIONS (ACS) - 139.211. AC 139.201-1, Airport Certification Manual and Airport Certification Specifications, current edition, provides additional guidance for specification preparation. During the periodic inspection, the ACS should be reviewed for currency, consistency, and content.

319. CONTENTS OF AIRPORT CERTIFICATION SPECIFICATIONS (ACS) - 139.213.

a. Sections 139.213(b)(11), (12), (13), and (14) require less than full compliance with related sections in FAR Part 139, Subpart D. The level of compliance is to be negotiated until found acceptable to the ACSI and approved in the ACS. These sections of FAR Part 139 at airports with an LAOC are inspected in accordance with the level of compliance addressed in the approved ACS.

b. In reference to section 139.213(b)(11), encourage the airport operator to obtain at least the ARFF index coverage corresponding to the aircraft type. If that cannot be obtained within acceptable costs considering the level and benefits of the air carrier service expected, it is reasonable to expect a minimum level of ARFF capability corresponding to Index A. This coverage could consist of structural fire trucks with foam eductors and/or portable dry chemical or Halon extinguishers, or other combinations of fire extinguishing agents and equipment appropriate to aircraft firefighting.

LAOC airport operators should always be encouraged to train ARFF personnel in all 11 subject areas listed in Section 319(j)(2).

Before the denial or revocation of an LAOC solely on the grounds of insufficient ARFF capability, the ACSI should coordinate with AAS-300.

c. Section 139.213(a)(2) and (b)(16) can be used to obtain additional compliance to FAR Part 139 by an airport operating with a LAOC if determined necessary by the ACSI (e.g., an obvious wildlife hazard at a limited airport which would require at least procedures to alleviate or eliminate the wildlife hazard or procedures to address airport closure due to heavy snow storm or an increase in ARFF). AC 139.201-1 provides additional guidance for the ACSI.

d. During the inspection the ACSI must determine that:

(1) The ACS contains the required elements addressing the provisions of subpart D for airports with an LAOC.

(2) The ACS is current and reflects actual conditions and operations at the airport.

(3) At least one complete and current copy of the approved ACS is maintained at the airport.

320. AMENDMENT OF AIRPORT CERTIFICATION MANUAL (ACM) OR AIRPORT CERTIFICATION SPECIFICATIONS (ACS) - 139.217.

a. An "amendment" to the ACM/ACS is a significant change in the method of compliance to FAR Part 139 by an airport operator. Amendments must be submitted at least 30 days before the proposed effective date. A shorter time period may be allowed under circumstances beyond the control of the airport operator.

Examples of what constitutes an amendment:

- Wildlife Hazard Management Plan developed
- Change in ARFF Index
- Change in frequency/responsibility of safety inspections
- Change in responsibility of basic emergency medical care
- Significant change in physical facilities, such as a new runway or runway extension.
- Changes resulting from an Annual emergency plan review.

b. A "revision" to the ACM/ACS is an updating of information to maintain currency which is not a change in method of compliance and does not require FAA approval. Revisions are submitted as needed to maintain currency of the ACM/ACS and should have a date of issue.

Examples of what constitutes a revision:

- Updating names of key personnel
- New replacement ARFF vehicle
- Minor change in physical facilities, such as new apron or taxiway extension.

c. Section 139.217(b). A cover letter is adequate to request an amendment to the ACM/ACS.

321. INSPECTION AUTHORITY - 139.301. This authority is implied through the Federal Aviation Act of 1958, as amended, Section 612, which empowered the Administrator to issue Airport Operating Certificates and establish minimum safety standards for airports having air carrier aircraft with more than 30 passenger seats.

322. PERSONNEL - 139.303.

a. During the inspection, the ACSI must determine that there are sufficient qualified personnel to comply with the requirements of the ACM/ACS and the applicable rules of FAR Part 139. *The ACSI must make this determination based on the conditions found during the inspection. The number of personnel an airport operator needs is that required to meet, maintain, and operate the airport at the minimum safety standards set forth in FAR Part 139. An ACSI cannot set personnel requirements but can observe the duties personnel perform and check personnel rosters and position descriptions to help make the determination. Testing, written, oral, or through a practical demonstration of skills (testing is provided by Sections 139.105 and 139.301) may be used if determined necessary by the ACSI. If used, testing shall only be considered as a tool to aid in evaluating sufficient qualification and not as all inclusive. When administrating a test, care should be given to test only at a level applicable for that particular airport.*

b. In some cases there may be enough personnel, but not "qualified" due to inadequate training. A lack of qualification is demonstrated if the work performed is incorrect (e.g., improper markings, filler that pops right out of cracks, etc.). Encourage the airport to develop an airfield operations and maintenance personnel training program, that includes all parts of FAR Part 139 with which their employees may need to be familiar.

323. PAVED AREAS - 139.305.

a. During the inspection the ACSI must determine if all pavement available for air carrier use, including loading aprons and parking areas, is maintained to meet the required conditions. *If a crack or surface variation is found and appears to create a marginal condition which could impair directional control of air carrier aircraft, advise airport management so that corrective action can be taken as needed. Where conditions are found involving possible pavement deterioration (evidence of cracking, ponding, settling, blow-ups, etc.). The ADO should be made aware of the possible pavement deterioration immediately.*

It is important to note that holes and other surface aberrations in the pavement must be evaluated against the criteria in both Sections 139.305(a)(2) and (3), since a condition that passes criteria in (2) may fail the criteria in (3).

b. Section 139.305(a)(2). A hole larger than 5 inches which is less than 3-inches deep and side slope of less than 45 degrees is not a FAR Part 139 discrepancy for a hole, but may be considered a crack which affects directional control of air carrier aircraft. If a hole is 3 inches or less in depth it is not a violation of Section 139.305(a)(2). If it exceeds 3 inches in depth, other tests need to be considered:

(1) If the entire surface area of the hole can be covered by a 5-inch diameter circle, it is not a violation of Section 139.305(a)(2).

(2) If the hole cannot be covered by a 5-inch circle and the side slope at any point in the hole that exceeds 3 inches in depth is 45 degrees or greater, it is a violation of Section 139.305(a)(2).

(3) If the hole cannot be covered by a 5-inch circle but the side slope at any point in the hole that exceeds 3 inches in depth is less than 45 degrees, it is not a violation of Section 139.305(a)(2). It may, however, be a violation of Section 139.305(a)(3) if it is determined to be a surface variation that could impair directional control of air carrier aircraft.

c. Section 139.305(a)(3). Longitudinal cracks are more likely to affect directional control of air carrier aircraft than transverse cracks. Each case should be evaluated at the discretion of the ACSI.

324. UNPAVED AREAS - 139.307. The ACSI must determine if all unpaved areas available for air carrier use, including loading aprons and parking areas, are maintained to meet the required conditions.

325. SAFETY AREAS - 139.309.

a. During the inspection determine if:

(1) The dimensions of safety areas are accurately reflected in the ACM/ACS. *It is recommended that the ACSI carry a 50- or 100-foot tape or a measuring wheel to check safety area dimensions that do not appear to be correct.*

(2) The safety areas are maintained to the required conditions. *Unusual airport conditions caused by seasonal variations, such as snow, mud, water, etc., are evaluated on a case-by-case basis. The ACSI may have the vehicle operator drive in portions of the safety areas to evaluate surface conditions, provided conditions allow it.*

(3) The frangible connections of the metal support exceeds 3 inches above the level of the surrounding grade. *If this is an FAA NAVAID which is in violation of FAR Part 139, the ACSI should identify the violation on the inspection report and note that the regional Airway Facilities division will be advised of the condition. However, the certificate holder should also be asked to work with the local FAA Airway Facilities division to correct the deficiency. The ACSI may facilitate as deemed necessary.*

b. All surface variations, such as drainage ditches and culverts, within safety areas which existed as of 12/31/87, must be documented in the ACM/ACS. The safety area would extend only to the culvert or ditch and would be grandfathered (Section 139.309(a)(1)). Even if the full length/width of the current standard safety area cannot be achieved, it may be "practicable" to extend the safety area beyond the length/width that was grandfathered. This might entail minor earth work or the relocation of a ditch or culvert to provide the maximum safety area practicable.

Major pavement "reconstruction" projects which are part of an overall plan to extend the useful life of the runway/taxiway, and similar major pavement rehabilitation efforts, should be considered reconstruction triggering the safety area requirements of Section 139.309(a). Neither the addition of a porous friction course or grooving, nor a pavement overlay designed only to protect the structural integrity of the existing pavement as a means of achieving its originally anticipated useful life, is considered reconstruction under this provision. Significant "expansion" would include projects which are clearly designed to accept a different critical aircraft or to provide for increased payload or range for the existing critical aircraft using that pavement. As a guideline, the extension of runways approximating 500 feet or more is considered "significant" for purposes of this provision.

c. Occasionally, FAA contract construction crews have compromised the integrity of the runway/taxiway safety areas by creating ruts or leaving construction equipment or material there. If a violation is observed, refer to paragraph 325a(3).

d. Objects located outside the Approved Safety Areas. It is highly desirable that all objects located outside the airport's approved safety areas, but within current safety area design standards contained in AC 150/5300-13, Airport Design, be brought to the attention of the airport operator for removal. Although not a regulatory violation, airport operators should be encouraged and made aware of the enhancement to safety that such actions might have on the overall airport safety posture.

e. See Appendix 28 concerning vehicles, personnel, and equipment operations in the runway safety area.

326. MARKING AND LIGHTING - 139.311.

a. During the inspection determine if:

(1) Runways are marked, as appropriate for the approach with the lowest authorized minimums, meeting standards in AC 150/5340-1, current edition. Runways are lighted for the approach with the lowest authorized minimums, meeting standards in AC 150/5340-24, current edition. *Check runway lights in both directions from each end and on centerline. Cycle lights through all intensity levels. Lights should appear to be of uniform brightness and alignment and with appropriate colors. Also when cycling the lights, be*

sure to check for a noticeable change in intensity between steps.

Airports having air carrier operations at night or during conditions below VFR minimums are required to provide yellow edge lights on the runway end opposite the landing threshold for INSTRUMENT RUNWAYS with at least a straight-in approach. If only a circling approach is available, the yellow runway lights are not required, but are recommended.

The subject paragraph of the regulation specifies "Each certificate holder shall provide and maintain ...(1) Runway lighting meeting the specifications for the approach with the lowest minimums authorized for each runway."

AC 150/5340-24 specifies the runway lighting in paragraph 3a. "The runway edge lights emit white (clear) light except that yellow light is substituted for white light on the last 2,000 feet (610 m) of an instrument runway, or one-half the runway length, whichever is less, for indicating the caution zone. The yellow lights are intended for rollout information after landing and are installed on the runway end opposite the landing threshold. They are installed on both ends of a runway when there is an instrument approach to each end."

The Airman's Information Manual defines "INSTRUMENT RUNWAY - A runway equipped with electronic and visual navigation aids for which a precision or nonprecision approach procedure having straight-in landing minimums has been approved."

Installation of semiflush edgelight fixtures - in AC 150/5340-24 the 200 feet spacing between High Intensity Runway Edge Lights (HIRLs) was chosen to allow three lights to be seen in 600 Runway Visual Range (RVR). (This RVR actually ranges from 700 to 501 feet.)

On runways approved for ILS Precision Instrument Operations Categories IIIa(RVR 700), IIIb(RVR 150), and IIIc(RVR 0) the maximum 200 feet separation limit is important. However the 600 RVR criteria is not as critical for CAT I (RVR 1800) and CAT II (RVR 1200) operations. For this reason a change in the AC to more flexible spacing requirements which continue to maintain continuity of the visual cue for pilots to align aircraft on the runway is forthcoming. Only on CAT III runways will 200 feet maximum spacing separation be required.

During initial and periodic inspections, give attention to the absence of edge lights at runway-runway or runway-taxiway intersections and determine if safety is being derogated. Pay particular attention to situations where two or more consecutive lights are missing. Generally these situations should be corrected by the installation of additional fixture(s). In determining whether an individual semi-flush fixture needs to be installed the following should be considered:

- *Are other visual cues available at the intersection, such as guidance signs or centerline lighting?*

- *Are the geometrics of the intersection complex?*

- *Would the addition of a semi-flush fixture possibly cause confusion for a pilot?*

Based on the answers to these questions and the ACSI's judgement that a semi-flush fixture needs to be installed; the ACSI needs to do the following:

- *Take steps to have a semi-flush fixture installed. Depending on the severity of the problem actions may range from immediate installation to installation in the next electrical project.*

- *On the annual inspection report, document the missing fixture(s) and where applicable, steps taken for installation.*

- *Document in the CCMIS section for inspection remarks.*

(2) Taxiways are equipped with required marking and lights/reflectors. *Taxiway edge markings are required where the full strength pavement of the taxiway is not readily discernible or where a taxiway is outlined on a large paved area such as an apron. There are two types of taxiway edge markings used depending upon whether the aircraft is supposed to cross the taxiway edge; continuous and dashed. The dashed taxiway edge markings are used in those situations where there is a need for the aircraft to cross a contiguous area intended for aircraft use. (AC 150/5340-1, current edition). Additionally if the airport is open at night or during Instrument Meteorological Conditions (IMC), the taxiways shall have centerline lights, centerline reflector, edge lights, or edge reflectors.*

(3) At airports which have a SMGCS plan, check those lighting systems and markings which are relevant to FAR Part 139 requirements, e.g., stop bars, geographic position markings. (Reference AC 120-57.)

(4) Guidance signs are installed in accordance with the approved Airport Sign Plan.

(a) *Signs meeting the requirements of FAR Part 139 for use in a sign plan are contained in AC 150/5340-18.*

(b) *Signs must be lighted if the runway or taxiway on which they are installed is lighted. Holding position signs and any collocated location signs must be lighted if the runway for which they are installed is lighted, even if the taxiway on which they are installed is unlighted.*

(5) The airport is equipped with an operable airport beacon if it is open during hours of darkness or during IMC.

(6) Airport owned approach lighting is properly maintained. *Approach lighting covered by this section is that which is owned by the airport operator (e.g., VASIs, REILs, approach lighting systems). If the airport operator owns REILs/VASI systems, check procedures for checking calibration. These procedures should also be addressed in the ACM/ACS.*

(7) Obstruction lights are operable. *Check ACM/ACS for a list of lighted obstructions.*

(8) Marking and lighting systems on the airport are properly maintained. *"Properly maintained" includes: cleaning, replacing, or repairing any faded, missing, or nonfunctional item of marking or lighting; keeping each item unobscured and clearly visible; and ensuring that each item provides an accurate reference (this includes alignment of fixtures) to the user. If the airport operator owns a standby generator for movement area lighting, inquire about testing procedures. The ACSI should consider a test operation of the generator if periodic testing procedures do not appear to be adequate.*

(9) Other airport lighting on the airport for aprons, roadways, buildings, etc., are adequately adjusted or shielded to prevent interference with ATCT and aircraft operations. *This should be discussed during the interview with local ATC management.*

b. AC 150/5340-24 provides additional guidance for the ACSI. Be alert to taxiways that are adjacent to large aprons. These taxiways may only have lights on one side of the taxiway.

327. SNOW AND ICE CONTROL - 139.313.

a. This section requires a Snow and Ice Control Plan only when the airport experiences measurable snow or ice regularly occurs at least once each year. Compliance is contingent on the prompt execution of the approved Snow and Ice Control Plan in the ACM.

b. The best way to evaluate a Snow and Ice Control Plan is by observing snow and ice removal operations. At airports which experience extended periods of snow and ice conditions, ACSIs should take advantage of any opportunity to conduct a surveillance inspection. The condition of the movement area available for use, as well as a review of NOTAMS issued, should reflect the plan's contents. AC 150/5200-30 contains information to assist the ACSI in evaluating Snow and Ice Control Plans.

328. AIRCRAFT RESCUE AND FIREFIGHTING: INDEX DETERMINATION - 139.315.

a. Determination of ARFF Index. An airport's ARFF index is determined by a combination of:

(1) The length of air carrier aircraft expressed in groups.

(2) Average scheduled daily departures of air carrier aircraft. See FAR Part 139.3, Definitions. Also see paragraph 330 of this section.

b. Guidance for Determining ARFF Index for Air Carriers:

(1) An Index is determined by the largest scheduled aircraft serving the airport. If there are five or more air carrier departures of that aircraft group, the Index will be for that group's level.

(2) However, if there are less than five air carrier departures in the longest group serving the airport, the Index will be one Index below the longest group, but in no case below Index A.

Examples:

- If an airport is served by five Boeing 727s (Index C) and two Boeing 737s (Index B), the Index would be Index C. If the number of Boeing 727 operations dropped to three departures, the Index required would be Index B. If there is only one Boeing 727 departure, and no other departures by other air carrier aircraft, then the Index would remain Index B, one below the specified Index for the aircraft.

- If an airport is served by four Index A aircraft, six Index B aircraft, zero Index C aircraft, and four Index D aircraft, the ARFF Index would be C.

329. AIRCRAFT RESCUE AND FIREFIGHTING; EQUIPMENT AND AGENTS - 139.317.

a. The ACSI must determine if ARFF vehicle discharge capacities and agent capacities meet FAR Part 139 requirements, unless grandfathered under provisions of Section 139.317(f).

b. Section 139.317(a). An Index A airport equipped with Index B level equipment, operated by one ARFF person, can respond with the 1500-gallon crash truck if it is equipped with two 120-BC rated extinguishers.

c. Section 139.317(f), (g), and (j).

(1) If the vehicle that met requirements on December 31, 1987, is rehabilitated, the "grandfather" provisions do not apply. In this context "rehabilitated" means that the vehicle and its systems are reworked (rebuilt) to extend its useful life. Repairs for the purpose of restoring the vehicle's performance to achieve its originally anticipated useful life, even if costly and extensive, do not constitute rehabilitation.

(2) A new vehicle that replaces a required ARFF vehicle means one that is new to the certificate holder; it may have been previously owned/used by someone else.

(3) If an airport experiences an increase in Index, the grandfather provision for ARFF equipment in operation after 12/31/87 is not applicable.

(4) Check the amount of reserve aqueous film-forming foam (AFFF). *Each vehicle required to carry nonpremixed AFFF is required to carry an appropriate amount of AFFF to mix with twice the amount of water carried by the vehicle.*

330. AIRCRAFT RESCUE AND FIREFIGHTING OPERATIONS - 139.319.

a. The ACSI must determine if:

(1) The airport is equipped with ARFF vehicles meeting the airport index during air carrier operations. *ARFF equipment required to meet the Index must be listed in the ACM. The year of the vehicles must be included if discharge capacities are grandfathered. Backup equipment must be listed separately and shown to be "equal" to the required equipment in terms of response time, discharge rate, communications capability, and agent quantities. (See Section 139.319(a).)*

(2) Changes in ARFF capability are in accordance with Section 139.319(a) and (d).

(a) Increase of the average daily departures:

(1) If as a result of the increase in the average daily departures, the longest aircraft group is four or less, the ARFF Index would be the next lower index to the longest aircraft group.

(2) If as a result of the increase in the average daily departures the longest aircraft group is five or more, the ARFF Index will increase accordingly. If this occurs, the airport has the following options:

(aa) Arrange for the purchase or lease of ARFF equipment appropriate to the index.

(bb) Modify structural fire equipment to temporarily satisfy the new ARFF Index until appropriate ARFF equipment is available.

(cc) If equipment cannot be supplied before the proposed commencement of the operation, the airport shall delay the new service until the appropriate equipment is in place, or seek a temporary exemption from FAR Part 139.317 provided Flight Standards concurs.

(b) Reduction of the ARFF Index.

(1) A permanent reduction of the average daily departures. If there is a reduction in the average daily departures, the airport can reduce the index as soon as the actual activity drops to the lower index level. This reduction must be included in the ACM.

(2) An airport which temporarily loses a required ARFF vehicle can reduce its index (provided the remaining equipment is appropriate) and allow up to four aircraft departures of the original index without being in violation of Section 139.315(c)(1).

Example:

An airport that has an Index E ARFF capability and temporarily loses an ARFF vehicle can reduce to Index D (provided the remaining equipment is appropriate) and allow up to four Index E aircraft departures per day.

(3) Permanent changes in ARFF Index and remarks concerning Index coverage at an airport are to be noted on lines A-26 and A-110 of the FAA Form 5010 annotated "Additional Information" and signed. The marked-up form is sent to AAS-330 for processing through the NFDC. To expedite this process, the ACSI may send the marked-up Form 5010 to AAS-330 via FAX or provide the information over the telephone with the Form 5010 to follow by mail.

(4) Each required ARFF vehicle is equipped with appropriate radio communications, beacon, and is marked in colors to contrast with the background and optimize daytime/nighttime visibility.

(5) Each required vehicle is operationally capable of performing the required functions and is provided shelter adequate to protect it from freezing temperatures and the harmful effects of exposure to the sun.

(6) All ARFF personnel are equipped in a manner needed to perform their duties.

(a) Such equipment shall include protective coat, protective trousers, protective helmet, gloves and positive pressure self-contained breathing apparatus (SCBA) which meets current National Fire Protection Association (NFPA) standards.

This equipment may also include emergency medical equipment, such as spine boards, air splints, oxygen equipment, etc., if basic emergency medical care is provided by the ARFF personnel.

(b) ARFF personnel who engage in any rescue or firefighting operations shall be wearing the complete protective clothing ensemble including SCBA during responses, unless directed by the officer-in-charge to remove it. This requirement does not apply to ARFF vehicle driver/operators unless they are expected to man handlines or effect rescue operations.

The ARFF vehicle driver/operator shall have protective equipment readily accessible.

(c) Proximity suits are recommended to be worn by initial responders to a crash site who will man handlines to extinguish flammable liquid fuel fire or be involved in passenger rescue operations. However, structural bunker gear which meets current NFPA standards is acceptable.

(7) The ARFF training curriculum meets requirements of Section 139.319(j)(2) and demonstrate their knowledge in these areas. See paragraph 304e(1).

(8) Training records indicate that all ARFF personnel have participated in at least one live-fire drill in the previous 12 months. *A live-fire drill must include a pit fire or fire with an aircraft mock-up, using enough fuel to provide realistic training that has the intensity comparable to the air carrier aircraft operating at the airport. In the context of this section "live-fire drill" has the same meaning as "simulated aircraft fire."*

The expected performance is described in NFPA 1003-1987, Chapter 16, Fire Fighting Operations, quoted as follows:

(a) *The airport firefighter given an airport-type foam firefighting vehicle(s), shall demonstrate the control and extinguishing of a simulated aircraft fire using handlines and/or turrets.*

(b) *The airport firefighter, given an airport firefighting vehicle(s), shall demonstrate using fire streams to protect firefighters and occupants.*

(c) *The airport firefighter, given each type, other than foam-type firefighting vehicle(s), shall demonstrate control and extinguishing of a simulated aircraft fire using handlines and turrets. The aircraft to be simulated are the same as those identified under the performance of NFPA 1003-1987, Chapter 5, 5091.1, Aircraft Familiarization, i.e., those associated with the particular airport ARFF Index.*

(9) If the airport has a SMGCS Plan, ARFF crews should be aware of their procedures and responsibilities under the plan.

(10) At least one of the personnel on duty is trained and current in basic emergency medical care. *It is not necessary that the emergency medical person be one of the regular ARFF personnel. Nor is it required that this person meet the timed response requirements established in Section 139.319(i)(2). However, "on duty" during air carrier operations does mean that there must be some assured means of having the individual available. For example, an ambulance service located near the airport with personnel trained in the requirements of Section 139.319(j)(4) which is willing to provide a person during air carrier operations might be a satisfactory solution. Of course, a reasonable response time would have to be assured. While the standard 3-4 minute response time of the ARFF unit is not required, the response should be rapid enough to be useful in providing the initial basic medical care envisioned by this provision. Similarly, if local police have this training and can assure an adequate response, this may provide an acceptable arrangement.*

The course that this requirement was structured around is the First Responder Course developed by the National Highway Traffic Safety Administration. This First Responder training is the most basic level of training in four levels that constitute the Federal Government standard for emergency medical standards.

Course material can be obtained from the Government Printing Office. The Course Guide is Catalog No. 050-003-003603. The Student Study Guide is Catalog No. 050-003-003620. The Instructors Lesson Plan is Catalog No. 050-003-003610-1. The complete course takes 40 hours, which includes 2 hours for a final written examination and 2 hours for a final practical examination.

While this course provides the context for the regulatory requirement, this is not the only training that can meet this requirement. Any legitimate training program obtained from the Red Cross, hospitals, doctors, nurses, or qualified Emergency Medical Technicians (EMT's), etc., is acceptable if it covers the nine areas identified in the regulation and consists of a minimum of 40 hours.

While the regulation does not specifically require that the individual be tested, there should be evidence, such as a test result, or receipt of some sort of certificate, of successful completion.

Concerning the requirement that the person be current in training for basic emergency medical care, annual refresher courses are not required per se. However, if the organization that provided the initial training has added different or new material to the required subject areas that could significantly change the performance of that individual during an emergency situation, it would be reasonable to expect currency training in the revised area(s).

(11) Sufficient ARFF personnel are available to operate the required ARFF vehicles in accordance with Section 139.319(j)(5). In the event of shortages of trained ARFF personnel, see Appendix 27.

(12) At least one required ARFF vehicle responds to the required location within 3 minutes of alarm and begin discharge of agent. All remaining required ARFF vehicles respond to the required location

and begin discharge of agent within 4 minutes of alarm.

(a) *At the option of the ACSI, a discharge of water may be used in lieu of other agents for a timed response. However, a demonstration of the discharge of the agents not used in the response drill (except for Halon 1211) is to be conducted for at least one required response vehicle before the conclusion of the inspection to insure the adequate capability. Discretion may be used for testing dry chemical if the airport can document maintenance and testing of the system within the last 6 months.*

(b) *During the certification inspection, the ACSI should request that a refractometer test be conducted by ARFF personnel on at least one required response vehicle with a foam proportioning system. By observing the preparation for and performance of this test the following will be achieved:*

*- Get an indication of ARFF personnel knowledge of the vehicle and its systems. In some cases, ARFF personnel may have a refractometer but not know how to use it. In those cases be prepared to conduct a refractometer test and provide some basic training. * If the ARFF department does not conduct periodic refractometer test advise them to do so.*

NOTE: See Appendix 24. Other refractometer procedures may be used. Be sure to read manufacturer's instructions.

- Gain some indication of the maintenance level for the foam proportioners and, therefore, vehicle systems. If the results of the refractometer test indicate a foam mixture that is to lean or rich, advise the ARFF officer in charge that the system needs to be checked to determine if the proportioning device is adjusted properly.

(c) *ARFF response drills may be conducted at night or during inclement weather. However discretion shall be used to ensure that safety is not derogated. If there is a question as to whether or not a drill can be conducted safely, it should be postponed until later. When conducting the timed response, the ACSI should keep in mind that the times given in FAR Part 139 are based on a direct path on dry pavement under good weather conditions. If the drill is conducted at night or in other than dry conditions, the times may be adjusted at the discretion of the ACSI to allow for the adverse condition.*

(d) *It shall be at the ACSIs discretion as to the location from which he/she conducts the response drill on the airport.*

(13) The alarm system is acceptable. *The timing for the response requirement begins upon activation of the first alarm signal to the fire agency responsible for ARFF at the airport. This will normally be ATC activating whatever alarm system is used by the airport. The signal may be audible (klaxon, telephone ring, siren, etc.), visual (dormitory illumination, strobe light, etc.), or a combination. The fire agency is usually the fire house where the vehicles and crews are stationed, but it could be a fire service dispatch office that controls the movement of the crews and vehicles at a different location. It is important that the timing begin with the activation of the first alarm signal and include any message passing, crew assembly, coordination, and other processes which occur as part of the response. If there are problems with meeting the response time it may be that the alarm enters the fire agency at the wrong point, and that the system needs to be changed to modify or eliminate time consuming communications, coordination, etc.*

(14) All designated emergency access roads are maintained for all weather conditions. *Emergency access roads are those required to meet ARFF requirements. Roads constructed specifically for use by emergency vehicles must be considered as an emergency access road and shall be designated in the ACM. Additionally, service roads that are located in the safety area and which were funded under a Federal grant program (justified on the basis of ARFF access to the runway and runway safety area) must be designated by the airport operator as an emergency access road and maintained during all weather conditions.*

b. Section 139.319(h)(3). Technically, a required ARFF vehicle is inoperative during preventive maintenance if it cannot meet response requirements. At airports which do not have extra ARFF equipment, maintenance must be scheduled during periods when air carriers are not operating. Notification to the FAA and air carriers would be expected when ARFF equipment required to meet Index requirements breaks down and cannot be immediately repaired. Notification to the FAA (regional Airport Certification staff) would be expected during normal business hours. During nonbusiness hours, the call should be made to the regional Communications Center which should contact the ACSIs if it appears a reduction in index will be required after 48 hours. Regional Airport Certification staffs must coordinate with both regional Communication Centers and certificated airports to assure a notification procedure for inspectors.

If there is no ARFF vehicle with Index A dry chemical or halon capability available as a replacement within 48 hours (this applies to all vehicles required by Sections 139.317 and 139.319(h)(1)), one of the following substitutions may be made:

(1) For an Index B through E airport, at least one other required vehicle must carry two portable dry chemical fire extinguishers.

(2) For an Index A airport, a vehicle must be provided which is capable of meeting the response time requirements of Section 139.319(i)(2) and the communication requirements of Section 139.319(e), carrying two portable dry chemical fire extinguishers.

In either case above each extinguisher must be Underwriters Laboratories (UL) rated at least 120 BC. The dry chemical may be either potassium or sodium based. The extinguisher may be either of the stored pressure or pressure cylinder activated type. Note: The substitution is not an option if an Index A rated vehicle is available as a replacement.

The substitution is not to be a long-term arrangement, and the airport operator must work actively to restore the inoperative Index A vehicle to full capability. As a matter of practice, the time limit for this substitution is 10 days. If at that time the Index A vehicle is not restored to service or replaced in kind, the options open to the airport operator are: justification of an exemption to serve air carriers with less than the required ARFF capability, or to close the airport to air carrier operations.

c. Off Airport Response of ARFF Equipment. The ACM/ACS should include procedures for repositioning ARFF vehicles to maintain required Index response capabilities and/or conditions and procedures for reducing ARFF Index when the required vehicles/personnel/agents are unavailable to respond to an emergency. This includes those situations when equipment and personnel are on or off the airport responding to an emergency and are unavailable to provide the published index capabilities. Procedures must include notifying the carriers of a reduced index through normal air carrier notification procedures and use of NOTAM's. While airport operators should not be encouraged to respond to off airport nonaircraft emergencies, it is recognized that mutual aid agreements may call for this support in certain circumstances. Since the concept of mutual aid relies heavily on this sharing of support, it is recommended that mutual aid use of ARFF equipment be very limited. If it is used, the agreement should provide for immediate return to the airport as soon as structural or other relief equipment arrives.

Under such circumstances, if the certificate holder immediately issued the required airline notices and NOTAM's of reduced Index capability, there would not be a violation of the regulation.

If ARFF vehicles have responded to an emergency, on or off the airport, involving an air carrier accident/incident and the air carriers were not notified of a change to the index (including issuance of NOTAM), the certificate holder would have grounds for filing a deviation in accordance with Section 139.113.

The key to avoiding problems in this area is for the certificate holder to anticipate these situations when developing the airport's emergency plan. Preplanning these scenarios in conjunction with the ACSI should reduce the potential for violations when the situation occurs.

331. HANDLING AND STORAGE OF HAZARDOUS MATERIALS AND SUBSTANCES - 139.321.

a. The ACSI must determine if:

(1) Hazardous cargo handling procedures are established for the certification holder, if required. *Few certificate holders are hazardous cargo agents. ACSI involvement is limited in this area.*

(2) Acceptable fire safety standards for handling fuel have been established. *These standards must be included in the ACM and be found acceptable by the ACSI. If the local fire codes do not include fire safety for aviation fuels, it is recommended that NFPA 407 and the fire safety related fuel handling standards in Appendix 7 of AC 150/5230-4, Aircraft Fuel Storage, Handling, and Dispensing on Airports, current edition, be consulted for creating a minimum level fire safety standard.*

(3) Certificate holder conducts adequate inspections of physical facilities of fueling agents at least once every 3 months; and maintain records for the previous 12 months.

The certificate holder is responsible for conducting the inspection of fuel facilities on the airport; not the ACSI. However, to ensure the inspection process is adequate, the ACSI shall inspect at least a sample of fuel facilities (including fuel trucks) on the airport. The size of the sampling is left to the discretion of the ACSI.

In accordance with FAR Part 139.321(h), the certificate holder is not required to inspect FAR Part 121 or FAR Part 135 operators. However, to ensure airport safety, ACSIs are requested to encourage certificate holders to exercise surveillance of air carrier fueling programs. If an ACSI should observe a potential safety problem with regard to a FAR Part 121 or FAR Part 135 fueling operation or facility, the airport operator and Flight Standards should be advised. If a FAR Part 121 or FAR Part 135 operator has a contract fueler that fuels others as well, the certificate holder is required to inspect that operation in accordance with FAR Part 139.321(d).

(4) Fueling agents comply with the fire safety standards.

(5) At least one supervisor with each fueling agent has completed an acceptable fire safety fuel course. *National or commercial fire training seminars*

shall be reviewed by AAS-310 for acceptability. However, airport operators wishing to develop a training course exclusively for their airports may work with the local fire department to develop an aviation fuel training course in fire safety for fueling agent supervisors. Such a training curriculum must be reviewed by the ACSI to determine its acceptability to the Administrator, and then the ACSI shall document that it is acceptable. The lesson plan and reference material to be used shall also be included to assist the ACSI in evaluating the training curriculum. The training curriculum, as a minimum, must address the seven items listed in Section 139.321(b).

(6) Employees with each fueling agent have received at least on-the-job training in fire safety by a trained supervisor. *Although recommended there is no requirement for recurrent training of fueling agent supervisors or employees.*

(7) Each certificate holder has an annual certification from each fueling agent that they have met the training requirements of Section 139.321(e). *This does not mean recurrent, only initial training.*

b. Grounding. Effective with a NFPA 407 change, dated January 1991, the FAA no longer requires grounding for static protection for fueling purposes, and, therefore, it will no longer be required to be addressed in the airport's fire safety standards. However, there may still be a requirement for electrical grounding in some jurisdictions. When certain types of maintenance are being performed on aircraft, protection against electrical discharge is a necessity. This type of grounding was not eliminated by NFPA 407.

c. Self-Fuelers. Section 139.321(c) requires the sponsor to "perform reasonable surveillance of all fueling activities on the airport." Self-fuelers are included in this section. Self-fuelers can be categorized as: (a) corporate or large aircraft operators who are providing their own fueling service, and (b) small aircraft owners who are performing their refueling operations using small containers (i.e., mogas STC holders).

(1) In the case of the large aircraft operators, basically the same application of FAR Part 139 as that required of fixed-base operators would be appropriate, except for the training requirements. Training for this type of operator could consist of a check-out by the airport fire marshal or training officer, and cover bonding procedures, local fire safety regulations, use of available fire extinguishing equipment, and fuel spill procedures.

(2) Airport operators should be encouraged to establish a fueling permit system for the small self-fuelers. Self-fueling operations should be confined to an area designated by the airport operator. Fire extinguishing equipment should be required for the designated area. The self-fueler should be required to demonstrate the ability to operate the extinguisher, should have knowledge of bonding and local fire safety regulations, and should have familiarity with fuel spill procedures, prior to the issuance of the permit.

d. Inspection Of All Fuel Facilities. The certificate holder will not be violated if the ACM specifically excludes air carrier fueling facilities from airport oversight. However, even in these situations, to ensure airport safety, ACSIs are requested to actively encourage all certificate holders to exercise sufficient surveillance of air carrier fueling facilities by including them in their ongoing inspection programs.

332. TRAFFIC AND WIND DIRECTION INDICATORS - 139.323.

a. The ACSI must determine if the airport has an operational wind cone. Section 139.323(a) requires all certificate holders install a wind cone to provide airport surface wind direction information. *At airports in Class B Airspace it also requires the installation of supplemental wind direction indicators. These are to be installed at each runway end or at least at a point visible to the pilot during takeoffs and landings (as agreed to with Flight Standards, wind cones must be installed outside runway safety areas). If the airport is open to air carrier operations during hours of darkness, the required wind direction indicators must be lighted.*

b. Requirements for wind indicator lighting under this section are:

(1) At airports in Class B Airspace the certificate holder shall light the required wind indicator and supplemental wind indicators if the airport is open for air carrier operations during hours of darkness.

(2) At certificated airports not in Class B Airspace:

(a) The certificate holder shall light the required wind indicator.

(b) Although encouraged, the regulation does not require supplemental wind indicators at these airports. If installed, there is no requirement to light a supplemental wind indicator.

(c) In the interest of safety, we encourage installations of lighted supplemental wind indicator by these certificate holders.

c. If required, the airport is equipped with a properly maintained segmented circle around a wind cone. Section 139.323(b) requires a segmented circle with landing strip and pattern indicator for each runway with a right-hand traffic pattern at airports which

have air carrier service when there is no operating control tower.

d. ACSIs should encourage airport operators to remove wind tees if installed. Since a wind tee indicates the last wind direction encountered, the indication of the wind tee may conflict with the use of a designated calm wind runway when calm conditions prevail.

333. AIRPORT EMERGENCY PLAN (AEP) - 139.325.

a. The ACSI must determine if:

(1) The AEP covers those emergencies and associated actions outlined in Section 139.325. *The operator should also be encouraged to include procedures for response to other utility failures in addition to electrical power failure such as fuel spills, hazardous materials, natural gas, water and sewage.*

(2) It is written in sufficient detail to give adequate guidance to all concerned.

(3) The certificate holder has made adequate provisions for the agencies and personnel addressed in the AEP to participate in the development of the plan. *Look for signature page, agency listing, or letters addressing meetings/reviews, and coordination.*

(4) The plan contains procedures for notifying facilities, agencies, and personnel of the location of an aircraft accident on the airport, the number of persons involved, and any other necessary information as soon as it is available. *At the discretion of the ACSI, conduct a communications test of the emergency plan notification procedures of mutual aid agencies to evaluate the timeliness and effectiveness of the notification procedures. Select at random a number of telephone numbers listed in the emergency plan and contact the mutual aid agency listed to verify telephone number currency.*

(5) If applicable, the AEP address water rescue provisions, to the extent practicable. *Significant bodies of water or marsh lands are considered adjacent to the airport if they are under the approach/departure flight paths, out to the "final approach fix" on runways with published approaches, and out 2 miles on runways with visual approaches. A river under approach/departure flight paths is considered a significant body of water if it is one quarter mile wide during wet seasons. If an airport operator cannot obtain cooperation from other jurisdictions concerning water rescue provisions "to the extent practicable", documentation demonstrating that a reasonable attempt was made shall be maintained in the manual.*

(6) All airport personnel having duties and responsibilities under the AEP are familiar with their assignments and are properly trained. *Randomly question personnel in the AEP to determine validity of the training program and to ensure that all airport personnel having duties and responsibilities under the plan are familiar with their assignments and are properly trained. Testing, written or oral (as provided for by Sections 139.105 and 139.301) may be used if determined to be necessary by the ACSI.*

(7) The AEP is reviewed with all participating agencies in the preceding 12 months. *An annual review of the AEP may consist of the airport operator conducting a table top exercise or a review meeting with a representative of each of the agencies with which the plan was coordinated. Look for letters addressing table top exercise, AEP review meetings and AEP revisions. During preinspection preparation, look for letters concerning annual review in the airport files.*

(8) The airport operator has conducted a full scale exercise of its AEP in the preceding 3 years.

(a) *During preinspection preparation, look for letters concerning full scale exercise of the AEP. Examine any record of critique. The full-scale airport exercise must involve, to the extent practicable, all mutual aid participants, a reasonable amount of equipment specified in the AEP, and include a summary report and/or critique. Airports which have experienced an aircraft accident and exercised a substantial portion of their AEP related to, or as would respond to, an air carrier accident can substitute this accident for the full-scale exercise. If such a substitution is made, the certificate holder should conduct a critique of their performance during the accident response.*

(b) *For the purpose of this requirement, the triennial exercise may be conducted within the calendar month it is due. For example, if the last triennial exercise was held on August 4, 1990, the next triennial exercise is due by August 31, 1993. Unique or special cases may affect the need to vary the schedule slightly, and where supportable justification exists, a reasonable extension may be approved. For example: the triennial is due in April, but the county is planning a much larger exercise for June in which the airport will play an important part and gain the same benefit.*

b. The purpose of this triennial exercise is to test the effectiveness of AEP through a response of the airport and its mutual aid for a disaster at the airport. It should also be used to familiarize emergency mutual aid personnel with the location of staging areas and other airport facilities. For these reasons the full scale exercise should be conducted at the airport. However, at the discretion of the ACSI, the drill may be conducted on property adjoining or adjacent to the airport (such as for a water rescue exercise) if the AEP can

still be properly exercised. (Refer to AC 150/5200-31 for guidance in evaluating AEP exercises.)

c. When possible, airport managers should be encouraged to participate in off-airport disaster exercises involving downed aircraft and provide their expertise and resources.

d. ACSIs are encouraged to attend the full scale exercise of the AEP whenever possible.

334. SELF-INSPECTION PROGRAM - 139.327. The ACSI must determine that:

a. Airport management understands the importance of this program and is conducting a daily safety inspection unless otherwise authorized in the ACM/ ACS. *Further investigation might be warranted when the self-inspection reports rarely show any discrepancies. Be alert for evidence of falsification or incomplete attention to items in the inspection records.*

(1) *Airports which have no scheduled air carrier service but retain a full certificate will perform a safety inspection each day of the normal work week. On weekends and holidays if an air carrier will operate an inspection shall also be performed. The inspection schedule is required to be included in the ACM.*

(2) *At airports with an LAOC, procedures for conducting inspections on days of and prior to an air carrier operation must be included in the ACS if safety inspections are not conducted daily. Also, a minimum of at least one safety inspection per week must be required in an approved ACS.*

b. Procedures are adequate to ensure that qualified inspection personnel perform the safety inspections. *The conditions found during the inspection of the movement areas reflect the adequacy of procedures and training. Inquire if inspection personnel have viewed the FAA Airport Self-Inspection video and are familiar with AC 150/5200-18.*

Numerous violations found during the inspection may be a symptom of problems with the self-inspection program. This should trigger a more detailed review of the airport's self-inspection procedures and staff qualifications which may be the underlying and more critical cause of the violation(s). Also see Chapter 5, Enforcement Policy, paragraph 501b.

c. Additional safety inspections are conducted when required by unusual conditions such as construction activities, rapidly changing weather conditions which may affect air carrier operations, and immediately after an accident or incident.

d. Procedures, facilities, and equipment are adequate for rapid dissemination of information between airport personnel and air carriers. The airport's condition reporting system shall be tied into the self-inspection program to notify air carriers of discrepancies which may affect the safety of air carrier operations and require the issuance of a NOTAM.

e. A reporting system is in place which is adequate to ensure prompt correction of unsafe airport conditions noted during the inspections.

f. Inspection records are maintained for the previous 6 months showing the conditions found and corrective actions taken. Corrective actions may be included on work order records.

335. GROUND VEHICLES - 139.329.

a. The ACSI must determine that:

(1) Ground vehicle operations on movement areas and safety areas are limited to only those vehicles necessary for airport operations. *During the course of the inspection, be on the lookout for unnecessary operations of vehicles on or adjacent to movement areas.*

(a) *Ground vehicles necessary for airport operations means airport vehicles used in direct support of rescue, maintenance and inspection activities associated with the movement and safety areas. These include ARFF vehicles, ambulances, snow removal vehicles, mowers, airport operations and maintenance vehicles, etc. FAA vehicles maintaining navigational aids and some construction vehicles are also considered as necessary for airport operations. See Appendix 28, Guidance for Operating in the Runway Safety Area.*

(b) *In some cases, fuel trucks would also be considered necessary for airport operations because there is no other practical way for the fuel trucks to get to the fuel farm or to fuel aircraft on the opposite side of the airport. However, the ACSI shall work with the airport operator to correct the situation. Construction of a service road with Airport Improvement Program (AIP) funding would be an option to investigate.*

(c) *If there are no reasonable alternatives for these vehicles to cross runways or taxiways, special procedures, such as two-way communications with the ATCT or escort, shall be established for continued operations. These procedures need to be clearly addressed in the ACM.*

(2) The airport operator has adequate procedures for the safe and orderly access to, and operation on, the movement area and safety areas by ground vehicles. *The regulation holds the operator responsible for developing and implementing procedures, appropriate to their airport, for safe ground vehicle operation in airport movement and safety areas. These procedures must include consequences of noncompliance of the procedures by employees, tenants, and contrac-*

tors. The ATCT should be consulted for information concerning adequacy of procedures for controlling vehicles on movement areas.

(3) For airports with an ATCT in operation, each vehicle operating on the movement areas is controlled by two-way radio, escort vehicle with two-way radio, or other measures acceptable to the Administrator. *Control over uncontrolled vehicles on certain movement areas may be arranged through Letters of Agreement between the ATCT and the certificate holder, provided that the Letter of Agreement specifically states who is allowed on the movement areas, how these individuals are qualified, and what kind of training they are required to meet. Additionally, the ACM/ACS should address the airport's responsibilities for meeting requirements of this section.*

(4) For airports without an ATCT in operation, adequate procedures are established to control ground vehicles through prearranged signals or other procedures. *Look for procedures which require vehicle drivers to notify the FSS (if an FSS is located on the airport), or make an announcement over Common Traffic Advisory Frequency prior to entering movement areas.*

(5) Each employee, tenant, or contractor, who operates a ground vehicle on any portion of the airport accessible to movement areas is familiar with and complies with the airport's ground vehicle rules and procedures. *In order to comply with this section, the airport operator shall be encouraged to develop an appropriate driver's training program for airport personnel, tenants, contractors and others who operate on, or have access to movement areas. It is recommended that the FAA publication "A Guide To Ground Vehicle Operations On The Airport" (DOT/FAA/AS-90-3) be used as a basis for this program. Look for distribution of airport procedures/training curriculum or permit process to control applicable tenants. At airports with a SMGCS Plan, requirements should also be included in the driver training as applicable.*

(6) Any records of accidents or incidents involving air carrier aircraft and/or ground vehicles on movement areas are available for inspection. *This is not a specific recordkeeping requirement; however, airport operators shall be encouraged to maintain records.*

b. Unauthorized Entry of Ground Vehicles Onto the Movement Area.

(1) The official FAA definition of a runway incursion for a controlled airport only considers those incidents where an actual loss of separation occurs. For purposes of this policy, the more common understanding of the concept is to include any unauthorized entry of a ground vehicle onto the movement area.

(2) Not every incursion by a ground vehicle into the movement area constitutes an act warranting civil penalty enforcement action for a violation of FAR Part 139. When an alleged incursion occurs, information must be carefully gathered setting the context of the occurrence. Judgement is then applied to determine what the situation warrants. All incursions may not result in issuing a Letter of Investigation. It is the responsibility of the ACSI to make this determination applying a two-prong test. The first is to determine if the report includes adequate evidence to establish an incursion. The second is a determination if the airport operator failed in some demonstrable way to adopt and/or enforce reasonable measures/procedures to prevent incursions. In general, was there some specific omission in the airport operator's measures/procedures that caused or help cause the violation that occurred? If the certificate holder had established reasonable procedures and had carried out adequate measures to enforce those procedures, then the certificate holder would not normally be in violation of the regulation. Both prongs of this test must be met in order to issue an LOI to substantiate a violation of FAR Part 139 warranting enforcement action. When it has been determined that the violation did indeed occur, enforcement action should be initiated and measures taken to prevent future incidents.

(3) FAA employees operating vehicles on airports have, on occasion, entered an airport movement area without obtaining the proper clearance from the ATCT. When an ACSI becomes aware of such an incursion, the ACSI should notify the appropriate regional office of the employee involved. The office should be asked to discuss the incursion with the employee in order to identify the reason for the problem and to ascertain whether additional airport driver training is required. This is in addition to a certificate holder's normal procedures for controlling ground vehicles.

If the ACSI determines that the airport may have been at fault or involved in the incident, and a Letter of Investigation to the airport is deemed appropriate, state in concept:

"We are aware an FAA employee may have caused an incursion into the airport movement area on (supply appropriate date, time, and pertinent details). We are pursuing this directly with the appropriate FAA office. However, we request that you provide us any information you may have on this incident to aid us in our investigation by (date)."

If the investigation clearly indicates that the airport's ground vehicle procedures are inadequate, the airport should be asked to correct that situation. In this case,

administrative enforcement is appropriate. AAS-310 should be consulted for any unusual situations.

336. OBSTRUCTIONS - 139.331

a. The ACSI must determine that all obstructions, as defined in FAR Part 77, within the airport operator's authority are either marked or lighted or removed, unless determined to be unnecessary by an FAA aeronautical study.

(1) If obstructions have not been airspaced, the airport operator shall be instructed to request an aeronautical study. If marking and/or lighting is not acceptable to FAA, the obstruction must be removed or other action taken acceptable to FAA. If the aeronautical study determines that an obstruction is not a hazard to air navigation and if marking or lighting is not required, then this is not a violation of FAR Part 139.

(2) Each object "within its authority" includes other land owned by the certificate holder, such as a city golf course or city park, if the city also owns the airport. Avigation easements are also considered "within its authority." If other cities or counties jointly own an airport, "within its authority" would extend into those other cities or counties. Applicability of airport authorities must be determined on a case-by-case basis.

b. Inquire if the airport operator has procedures for identification of obstructions to the applicable FAR Part 77 imaginary surfaces. If the airport operator does not have such procedures than the ACSI should require that a program be included in the ACM/ACS.

337. PROTECTION OF NAVAIDS - 139.333. The ACSI must determine that:

a. Adequate procedures have been established to prevent the construction of facilities on the airport which the Administrator has determined would derogate the operation of NAVAIDs (electronic or visual) or air traffic control facilities on the airport.

b. Adequate facilities and procedures have been established to protect NAVAIDs on the airport against vandalism and theft.

c. Adequate procedures have been established to prevent interruption of visual and electronic signals of NAVAIDS, insofar as it is within the airport's authority. *"Within an airport's authority" refers to the actual prevention of an interruption of visual and electronic signals of the NAVAIDS. This is intended to prevent construction or maintenance activities on the airport from shutting down or altering the signals of the NAVAIDS. An example might be the parking of vehicles/equipment or the storage of material next to a NAVAID. Protection of NAVAIDS applies to other land owned by the airport operator, such as a golf course, even though not considered airport property. If the airport commission or authority is a subordinate of a city, county, or similar governmental body that has decision making authority over the location of an object the FAA has determined will interfere with a NAVAID, and the city or county allows its construction, then the potential issue of applicability of these sections may need to be addressed. When this occurs, the FAA regional Assistant Chief Counsel should be consulted and AAS-300 alerted prior to taking action.*

338. PUBLIC PROTECTION - 139.335. The ACSI must determine that:

a. The airport operator has appropriate safeguards against inadvertent entry to the movement area by unauthorized persons or vehicles. *These safeguards may consist of a combination of natural barriers, fencing and warning signs which suffice to deter personnel or vehicles from inadvertently entering the movement area.*

b. The airport operator has provided reasonable protection of persons and property from aircraft blast. *This includes persons who are required to use airstairs; and public areas adjacent to air carrier ramps and movement areas. See appendix 28, Guidance for Operating in the Runway Safety Area.*

339. WILDLIFE HAZARD MANAGEMENT - 139.337.

a. The ACSI must determine that:

(1) The airport operator has adequate procedures to take immediate measures to alleviate wildlife hazards whenever they are detected. *During the movement area inspection, the ACSI should be on the lookout for wildlife of a size or in numbers capable of triggering the conduct of an ecological study. If the ACSI feels that wildlife activity on or in the vicinity of the airport constitutes a wildlife hazard, the conduct of an ecological study must be addressed in a Letter of Correction. The ATCT shall also be consulted concerning wildlife hazards.*

(2) Procedures are established by the airport operator for the conduct of an ecological survey* if triggered by an "event" as defined in Section 139.337(a). *An event occurring on or near the airport refers to an incident that takes place within 10,000 feet of any air carrier runway for jet use and 5,000 feet for reciprocating engines.*

(a) *A multiple bird strike applies to one incident.*

(b) *An engine ingestion can apply to one bird.*

* **Note:** A survey shall consist of an initial consultation with the United States Department of Agriculture

(USDA) Animal Damage Control (ADC), and if deemed necessary by the ADC, a site visit may be scheduled.

(3) If a Wildlife Hazard Management Plan is in effect, the ACSI must review the following:

(a) Its effectiveness in dealing with the wildlife hazard.

(b) Indications that the existence of the wildlife hazard, described in the ecological survey, should be reevaluated.

(c) Personnel with responsibilities in the Wildlife Hazard Management Plan are adequately trained.

(d) Procedures outlined in the Plan, such as inspections prior to air carrier operations, are carried out.

(e) Status of habitat modification projects or changes in land use identified in the Plan.

(f) Existence of current depredation permits, if applicable.

b. Section 139.337(a)(3). This section can be used by an ACSI to have an airport operator initiate an ecological survey if there is an obvious wildlife problem at an airport even though a multiple bird strike, engine ingestion, or damaging collision had not yet occurred. An airport that experiences a problem with wildlife and which has a Wildlife Hazard Management Plan can begin to implement parts of the plan in lieu of having to perform an ecological survey.

c. The services of the USDA ADC personnel are available for the conduct of an ecological survey. AAS-300 can provide the address for the ADC contact closest to the airport.

Note: The ADC may be contacted to conduct an ecological survey if deemed necessary after initial consultation.

d. Section 139.337(d). The ecological survey and Wildlife Hazard Management Plans required by this section are to be reviewed by the ACSI in the region. If the regional ACSI needs further technical guidance prior to accepting the plan, the biologist in AAS-310 may be contacted for assistance.

e. When an airport operator requests assistance to conduct an ecological survey, the certificate holder shall notify and provide copies of all correspondence to the ACSI. Upon receipt of survey recommendations, the ACSI shall take action(s), as deemed appropriate.

340. AIRPORT CONDITION REPORTING - 139.339.

a. The ACSI must determine if:

(1) The operator has provided for the collection of airport condition information for air carriers. *Evaluate the airport operator's procedures and equipment for conducting airfield surface condition inspections.*

(2) The airport operator has provided for the dissemination of airport condition information to air carriers utilizing the NOTAM system and other systems and procedures.

(3) The conditions disseminated to air carriers includes the conditions required by Section 139.339(c).

b. AC 150/5200-28 indicates that airport operators shall not issue NOTAMS more than 3 days prior to the effective date. Conditions that occur which require a NOTAM must be filed as soon as it becomes known to the airport operator.

c. The NOTAM system is available to any airport currently listed in the A/FD (see Order 7930.2, Notices to Airmen). If an airport is not listed in the A/FD, it does not have access to the NOTAM system. For the purposes of meeting the requirements of Section 139.339(b), a privately-owned, privately-operated/used certificated airport may use a system or procedure acceptable to the Administrator.

d. For ARFF index permanent changes, see paragraph 330a(2)(b)(3).

341. IDENTIFYING, MARKING, AND REPORTING CONSTRUCTION AND OTHER UNSERVICEABLE AREAS - 139.341. The ACSI must determine if:

a. Procedures have been established by the airport operator for briefing of contractors for avoiding damage to existing utilities or other underground facilities. *When a complex construction project is in progress, the ACSI shall inquire about the existence of/ adherence to the safety plan. Additional information is available in AC 150/5370-2, Operational Safety on Airports During Construction, current edition.*

b. Procedures have been established by the airport operator for avoiding damage to existing utilities, such as the review of appropriate utility plans prior to construction. *For nonfederal grant projects, these procedures must include coordination with all applicable parties and filing FAA Form 7460-1, Notice of Proposed Construction, when required by FAR Part 77. (See FAR Part 77, Subpart B, Notice of Construction and Alteration.)*

c. Each construction area, construction equipment construction roadway, NAVAID area, and unserviceable area, is marked, and lighted if appropriate, in an acceptable manner.

d. Procedures are in place to repair any accidental damage to existing utilities.

342. NONCOMPLYING CONDITIONS - 139.343. The ACSI must determine that the airport operator understands what constitutes noncomplying conditions and has established procedures for closing movement areas to air carrier operations where the certificate holder believes unsafe conditions exist.

While what constitutes an unsafe condition is ultimately the decision of the certificate holder, the ACSI must determine if that decision is reasonably in accordance with FAR Part 139. Examples of unsafe conditions are, but not limited to, the following:

a. *Movement area or apron pavements which will not support the weight or turning radius of large aircraft due to design or condition.*

b. *Taxiing routes with inadequate wing tip clearances.*

c. *Disabled aircraft or vehicles on a runway or taxiway.*

343.-399. RESERVED.

CHAPTER 4. REPORTS, CORRESPONDENCE AND RECORDS

400. PURPOSE. This Chapter provides administrative guidance to standardize reports, correspondence and records within the Airport Certification Program.

401. CORRESPONDENCE AND REPORTS FROM ACSI'S TO CERTIFICATE HOLDER. The following correspondence/reports are for use, as determined appropriate, by ACSIs when communicating with certificated airports. Changes may be made, as needed, to each letter to meet the needs of the situation.

a. ACM/ACS Transmittal Letter (Appendix 19). Initial ACM/ACS, or revisions/amendments submitted for approval by the airport operator, must be returned to the airport operator by transmittal letter. The transmittal letter must reference the approved ACM/ACS revisions and amendments, or it must state why they were not approved, identifying what further action is necessary for approval and what is needed to meet FAR Part 139 requirements.

b. Certificate Action Letters (Appendix 22). Letters for the purpose of issuing/upgrading/downgrading certificates must accompany the certificate to the airport operator. Letters must contain pertinent information for the type certificate being issued. Forward a copy to AAS-310.

c. Letter of Authorization (Appendix 23). This letter shall be issued by the regional Airports division manager to a noncertificated airport where unscheduled air carrier operation(s) will be conducted due to unusual or emergency circumstances. This letter should include the times of operation and a list of agreed upon ARFF equipment and necessary personnel. The Flight Standards division should also give written authorization for the airline to perform the operation(s) at the airport and the planned time(s). Forward a copy to AAS-310.

c. Letter of Investigation (Appendix 11). Letters of Investigation are used to ascertain whether or not there is a basis for pursuing enforcement action. Letters of Investigation must include facts and/or circumstances to determine if a violation of the regulation occurred or existed. The Letter of Investigation should not be a statement of charges, it should only state that a violation may have occurred. Forward a copy to AAS-310.

d. Letters of Correction/Warning Letters (Appendix 13). Letters of Correction and/or Warning Letters are used for the purpose of administrative enforcement action. They provide the ACSI with a means for disposing of minor types of violations which do not require legal enforcement.

(1) A detailed office-generated Letter of Correction may be used in lieu of a Letter of Correction (FAA Form 5280-6).

(2) A Warning Letter must be used when a violation occurs, corrective action has been taken, and no legal enforcement action is warranted. The Warning Letter must state the incident involved, that such operations or practices are contrary to the regulations, and that corrective action was taken without FAA involvement and no legal action is warranted. If a Letter of Investigation has not been previously issued, the Warning Letter must also invite a statement by the alleged violator. Criteria for use, format, content, and a sample Letter of Investigation, Letter of Correction/Warning Letter are contained in Order 2150.3 and Appendix 11 and 13 of this Order.

e. Inspection Confirmation Letter (Appendix 5). After informally scheduling an inspection with the airport manager by phone, a formal letter confirming date and time, and requesting any other information the ACSI would like available at the time of the inspection should be sent. A copy of the inspection confirmation letter should be sent to FAA field offices as outlined in paragraph 302b.

f. Follow-up Letters. Follow-up letters must be used to ascertain status of corrective action items. Any open items or further action needed after an inspection can be taken care of with a follow-up letter.

g. Closeout Letters. Three types of closeout letters are used for closing out either an inspection or an investigation.

(1) Inspection Closeout Letter (Appendix 15). A closeout letter must be sent to the airport operator advising that as a result of the airport inspection the airport was found to be in compliance with FAR Part 139. (This letter officially closes the inspection cycle.) A form Letter of Correction, FAA Form 5280-6 (Appendix 10), in lieu of this letter can be issued at the close of the inspection when there are no discrepancies with FAR Part 139.

(2) Discrepancies Close-out Letter (Appendix 14). If a Letter of Correction was issued to the airport, a letter back to the airport confirming receipt of notification for corrective action taken (the airport may send either a completed FAA Form 5280-6 or letter), and that the ACSI feels the airport is now in com-

pliance with FAR Part 139 should be sent. This letter officially closes the inspection cycle.

(3) Investigation Close-out Letter (Appendix 12). The close-out letter to an investigation must be used after it has been determined no violation has occurred. The letter must include the original statement of facts contained in the Letter of Investigation and that the investigation did not establish a violation and that the case is closed.

h. Newsletters/Bulletins. Information becomes available from time to time that involves safety issues and concerns, news items and other guidance of which the airport managers/operators need to be aware. This information should be disseminated in the form of a newsletter or bulletin to all certificated airports. When issues concern interpretation of the regulation or standards, coordinate with AAS-300 prior to issuance.

i. Miscellaneous Certification Correspondence. Correspondence between airport managers/owners and the ACSI, other than the previously mentioned, must be in the form of letters.

402. CORRESPONDENCE AND REPORTS FROM REGIONAL AIRPORTS DIVISIONS TO HEADQUARTERS. The following reports and correspondence are required for submittal by the regional Airports division to AAS-300: *

NOTE: Once the Certification Compliance Management Information System (CCMIS) is on line, the reports and correspondence are subject to elimination.

a. Monthly Activity Reports (Appendix 16). This report provides important certification information every month to headquarters so that they may monitor the program. By the 10th of every month, each regional Airports division shall prepare and submit one copy of FAA Form 5200-6 to AAS-310. Items 1, 2 and 3 are self-explanatory. Item 4 should contain any information pertaining to the action code. Items to be included on this form are identification of the ACSI, legal actions, training and any other items that may be of interest to AAS-310.

b. General Certification Correspondence. Copies of correspondence relating to the certification items referenced in paragraph 401 of this chapter must be sent to AAS-300 for their information, if identified in the individual subparagraph.

c. Periodic Inspection Schedule. Proposed periodic inspection schedules must be forwarded to AAS-300 within the first 30 days of the inspection fiscal year. Schedules can be set up by month and by ACSI.

403. CORRESPONDENCE AND REPORTS FROM HEADQUARTERS TO REGIONAL AIRPORTS DIVISIONS. The following reports and correspondence are to be sent to the individual regions by AAS-300:

a. Safety Related Material. As they become available, video tapes, posters, and safety bulletins are distributed to the regions for distribution to the airports.

b. Accident Investigation Reports as Related to FAR Part 139. Any NTSB report that relates to a certificated airport is forwarded to the region for their information and use in analyzing airport performances. AAS-300 distributes NTSB reports as they become available.

404. AIRPORT CERTIFICATION RECORDS.

a. Each regional Airports division shall maintain the following records for each certificated airport:

(1) ACM/ACS. The ACM/ACS for each individual airport must be maintained in the Certification Section for easy access. In the case of regions with Airports District Offices (ADOs) involved in the certification program, the ADOs can maintain the ACM/ACS within their jurisdiction. A copy of the application for the operating certificate, a copy of the certificate issued, and current and past exemptions must also be maintained at the same location. These are permanent records and must not be sent to the Federal Records Center.

(2) Correspondence. Any correspondence that relates to the FAR Part 139 program.

(3) Inspection Records. FAA Form 5280-4 (Appendix 6).

(4) Legal Enforcement Material. Keep a copy of all legal enforcement packages until final disposition of the case. All correspondence pertaining to the individual file must be filed within the Enforcement Investigative Report (EIR) package.

(5) Suspense Files/System. A suspense file/system for monitoring corrective action dates must be maintained by each region.

b. * Individual airport files should be kept at least 3 years; they then should be transferred to a past correspondence file and retained until they are transferred to the Federal Records Center. Correspondence and individual files may be handled and maintained in accordance with regional policy.

NOTE: Criteria for the records organization, transfer, and destruction for the Airport Certification Program is pending approval.

405. GENERAL INSTRUCTION FOR COMPLETING FAA FORM 5010-1, A-26, AND A-110 REMARKS.

a. Responsibility. The ACSI is responsible for providing safety information to AAS-330 for dissemination to and use by the aviation community. It is important that the ACSI provide this information in a consistent and concise manner to assure a common interpretation by the users. In many cases, this information is submitted by the airport directly and, therefore, it is necessary for the ACSI to advise and educate airport management as to their responsibility and appropriate texts for submitting the information.

b. Safety Information. Information relative to the airport's status under FAR Part 139 is published in the Airport/Facility Directory (A/FD). The information includes the type of certificate (full or limited), and appropriate text to describe the availability and levels of ARFF services. The type of certificate and date are an entry on the FAA Form 5010-1, Airport Master Record, specifically Item 26. Text relating to ARFF services is carried on the form as an A-26 remark.

c. Process. Information relating to the airport's status under FAR Part 139 is obtained in two manners. The ACSIs may enter/change the appropriate entry(s) on FAA Form 5010-1. This usually is done during the periodic inspection of the airport. The second means is the issuance of a Notice to Airman (NOTAM) by airport management to their local FSS. These NOTAMs are forwarded to AAS-330 for review and verification before being published by the NFDC. This review may include contact with the appropriate ACSI as well as airport management to assure there is no misinterpretation of the information received.

d. Situations and Standardized Remarks. Several situations that occur at certificated airports are described below. They reflect most situations ACSI's are likely to encounter. An acceptable standardized remark follows each situation. Abbreviations used in the remarks are currently contained in FAA Order 7340.1, Contractions Handbook.

(1) The airport has an LAOC and occasionally services charter operations. There is no full-time ARFF service and advance notice of the aircraft's arrival and departure is needed to assemble the required ARFF service. The airport manager needs the notification in advance of the air carrier's arrival.

REMARK: PPR FOR ACR OPNS WITH MORE THAN 30 PSGR SEATS CALL AMGR (321)555-1234.

(2) The situation is the same as described in (1) above, except the airport manager needs more time to arrange for the required ARFF service. In this case, a 24-hour advance notice is needed.

REMARK: 24 HRS PRIOR TO ACR OPNS WITH MORE THAN 30 PSGR SEATS CALL AMGR (123)555-1234.

(3) The situation is the same as described in (1) above, except that the airport manager requires notification of the aircraft's arrival in writing.

REMARK: PPR IN WRITING FOR ACR OPNS WITH MORE THAN 30 PSGR SEATS TO AMGR P.O. BOX 213, ANYTOWN, PA 17080

(4) The airport has an AOC and a volunteer ARFF service meets the scheduled flights. The airport manager needs advance notice to arrange for the required ARFF service to meet unscheduled air carrier flights.

REMARK: PPR FOR UNSKED OPNS WITH MORE THAN 30 PSGR SEATS CALL AMGR (123) 555-9898

(5) The airport has an AOC. The ARFF service is unavailable during specific weekday hours for scheduled and unscheduled air carrier operations. The airport manager needs advance notice to arrange for ARFF service at other times, (NOTE: Times published in the A/FD are in local time.)

REMARK: PPR FOR OPNS WITH MORE THAN 30 PSGR SEATS WKENDS ALL HRS AND WKDAYS 1800-0700 LCL CALL AMGR (123) 555-1234

(6) This airport has an AOC with continuous ARFF service during scheduled operations of air carriers Index A. After the scheduled operations are completed, the ARFF service is secured. However, the airport manager can also arrange for Index B service if enough advance notice is given.

(**NOTE:** This alternative is permissible under the regulation only if the airport, including the ARFF service, has been inspected and approved for the higher ARFF index service.)

REMARK: PPR FOR ACR OPNS WITH MORE THAN 30 PSGR SEATS 1900 TO 0630 LCL; ARFF INDEX B ALSO AVBL ON 24 HRS NOTICE CALL AMGR (123) 555-1234

e. CRITERIA FOR ENTRIES/REMARKS. Entries and remarks relating to certificated airports will be approved for publication if they describe:

(1) A modified availability of ARFF services at a certificated airport if the availability differs from what an aircraft operator would expect when reading the entry published in the A/FD (A-26 remark on the FAA Form 5010-1).

(2) A modified level of ARFF services for FAR Part 139 airport response operations if the level

(capability) of the response differs from what an aircraft operator would expect when reading the entry published in the A/FD (A-26 remark on FAA Form 5010-1).

(3) Safety information will not be approved for A-26 remark entries if the information applies to other than FAR Part 139 airport operations and involves other than ARFF availability or capability. For example, a noncertificated airport wishes to inform the aviation community it offers ARFF services.

REMARK: A110/01 - ARFF Index B available.

406. GENERAL INSTRUCTION FOR COMPLETING FAA FORM 5280-4, AIRPORT CERTIFICATION/SAFETY INSPECTION CHECKLIST.

a. For airports holding or applying for an AOC or LAOC, FAA Form 5280-4 must be used for the initial inspections, periodic inspections, follow-up inspections, and surveillance inspections. For airports with an LAOC, additional comments can be added, as needed, for those sections of FAR Part 139 which are not fully addressed by the ACS.

b. The following definitions apply when completing FAA Form 5280-4:

(1) **Satisfactory (S).** A condition which at the time of inspection meets criteria contained in FAR Part 139 and the requirements of the ACM/ACS. Chapter 3, Section 2 of this handbook provides guidance for making this determination.

(2) **Unsatisfactory (U).** A condition which at the time of inspection does not meet the criteria contained in FAR Part 139 and/or the requirements of the ACM/ACS. Chapter 3, Section 2 of this handbook provides guidance for making this determination. An entry must be made under Remarks/Narrative explaining all unsatisfactory entries, unless a report is attached.

(3) **Not Applicable (N/A).** A condition which at the time of inspection does not need to meet the criteria contained in FAR Part 139 or the requirements of the ACM/ACS or this handbook or was not inspected during this particular inspection.

(4) **Remarks/Narrative.** An entry must be made in the Remarks/Narrative section explaining all unsatisfactory entries on the form and those cases where a satisfactory rating is either marginal or greatly exceeded, or where an entry may prove useful at a later date. A report may be attached in lieu of the entry.

(5) **Not Inspected.** For those items not inspected, so indicate with the words "Not Inspected" after the affected item. The ACSI may amplify this statement in the Remarks/Narrative section and say why the item was not inspected.

407. INSPECTION REPORTS. Initial and periodic certification inspections must be fully documented. FAA Form 5280-4 must be completed and the airport operator advised of the results of the inspection within 10 working days (Appendix 6). Additional forms to be completed include FAA Form 5010-1, Airport Safety Data Record, FAA Form 2150-3, Enforcement Investigative Report, and FAA Form 5280-6.

NOTE: Once CCMIS is on line, inspection reports are subject to elimination.

408.-499. RESERVED.

CHAPTER 5. ENFORCEMENT POLICY

500. PURPOSE. This Chapter establishes policy concerning enforcement action for the Airport Certification Program.

501. GENERAL POLICIES.

a. Goals. The FAA has established comprehensive aviation safety regulations that reach every aspect of aviation. The high degree of compliance with these regulations in the past has resulted in the safest aviation system in the world, and the goal of the FAA is to continue to maintain the highest possible standard in safety. It is the role of the ACSI to promote safety through the compliance and enforcement process, as in all regulatory FAA programs. It is the responsibility of the aviation industry to strive to attain full compliance. Airport safety depends primarily on voluntary adherence to regulatory requirements. Therefore, compliance is promoted primarily through education, training, and counseling, and only where those efforts have failed by formal enforcement action. Enforcement action is taken when it is in the public interest to do so, applying a measured and proportional sanction in each case that takes into account compliance history and all other relevant factors.

b. Application. When a violation occurs, it is essential that the ACSI take action consistent with Order 2150.3, Compliance and Enforcement Program. That action can be administrative or legal, but should in each case be reasonably designed to promote future compliance by the airport in violation.

In cases which meet the applicable criteria, and in which a strong deterrent is not necessary or appropriate, the use of administrative action in the form of a Letter of Warning or Letter of Correction incorporating specific corrective action is encouraged. When circumstances warrant, however, action should include legal enforcement in the form of an imposition of a civil penalty, or suspension or revocation of the certificate. The specific and general deterrent effect of legal enforcement is an important component of a comprehensive compliance and enforcement program. In each case it is important that the sanction be appropriate to the violation, and that the ACSI exercise sound judgment and discretion to propose and apply the sanctions that will best promote future compliance. The Sanction Table in Order 2150.3, Appendix 4, provides the normal range of legal enforcement sanctions for each type of violation, but deviation from the Table is appropriate in cases where mitigating or aggravating circumstances apply. Compliance and enforcement personnel at all levels are encouraged to use sound discretion in the determinations.

c. Airport Compliance. Airport certificate holders have a responsibility to perform their duties to the highest possible degree of compliance. Achieving this goal requires a concerted effort between the FAA and the certificate holder. Special efforts must be undertaken to keep all certificate holders informed of the methods by which FAA inspections are carried out with special attention to recurring instances of noncompliance discovered in those inspections. Certificate holders are encouraged, in turn, to use all available information to evaluate their own systems, programs, and operations.

502. VIOLATIONS.

a. Violations must be addressed consistently, fairly, and in a manner that reasonably serves the purpose of deterring future violations. Toward those ends, the following policies shall be followed:

(1) All reports of violations shall be promptly and thoroughly investigated. The ACSI does not personally have to make the discovery. Even if the source of information alleging the violation appears unreliable or capricious, in the interest of safety, the ACSI must pursue the matter. ACSI's responsible for investigation or enforcement shall, in their relations with other members of the aviation community, be fair, objective, and courteous and shall carry out their responsibilities in a professional manner.

(2) All stages of enforcement investigation, legal, or administrative action shall be completed in a timely manner.

(3) Enforcement investigative reports shall contain complete accounts of known circumstances surrounding the violation alleged, including all known mitigating or aggravating factors.

(4) Enforcement sanctions, both administrative and legal, are to be applied as evenhandedly as possible and consistently with provisions of Order 2150.3.

b. Because of the numerous specific criteria contained in FAR Part 139, the potential for a previous similar violation interpretation could continually exist, especially for routine maintenance items such as pavement lips, faded markings, missing or nonfunctional runway/taxiway lighting. As a matter of policy, the concept of "previous similar violation" need not be applied so rigidly that encountering repeat violations of these types of maintenance deficiencies from one in-

spection to the next precludes use of administrative action. In determining if repeated deficiencies in related areas constitute a similar violation, considerable judgment must be applied. Also, "previous similar violations" may be a symptom of other more critical problems and violations. For example, if marking has been a violation on previous inspections and the specific violations were quickly corrected by the cooperative airport operator, the airport self-inspection staff of the inspection program may be the underlying and more critical cause of the "previous similar violation." This cause should be recognized and dealt with in order to solve the real problem. Always keep in mind that if the condition resulted in a significant unsafe condition, use of administrative action is NOT appropriate.

503. ENFORCEMENT ACTION. Compliance with the regulations is promoted through both administrative and formal legal actions. Administrative action (Warning Letters or Letters of Correction) is used to check potentially unsafe practices in situations where formal actions are unnecessary or inappropriate. When violations occur, firm action must be taken. However, firmness should be balanced with fairness.

a. Enforcement Tools. Statutory methods provided for enforcing the requirements of the FA Act include: amendment, suspension, and revocation of certificates (Section 609); civil and criminal penalties (Sections 901, 902); judicially enforceable orders (Section 1007); and investigations and other acts deemed necessary to carry out the provisions of the Act (Section 313) and FAR Part 139.

b. Administrative Action. The purpose for administrative enforcement action is to provide a means for disposing of violations which do not require the use of legal enforcement action. It is not to be taken solely as a matter of convenience or where evidence to support a finding of violation is lacking. Administrative action is intended to bring the violation to the attention of the certificate holder, document corrective action, encourage future compliance with the regulations, and provide a source of information for agency use.

(1) Administrative action may be taken in lieu of legal action only when all of the following elements are present:

(a) No significant unsafe condition existed.

(b) Lack of competency or qualification was not involved.

(c) The violation was not deliberate.

(d) The alleged violator has a constructive attitude toward complying with the regulations and has not been involved in previous similar violations. If the certificate holder has not instituted procedures to overcome deficiencies previously identified or displayed an attitude that does not reflect proper interest in achieving compliance, administrative action is not appropriate.

(2) Types of Administrative Action. Two types of administrative action are authorized:

(a) Warning Letter (Appendix 13). The Warning Letter is addressed to the alleged violator and:

(1) States the facts and circumstances of the incident involved,

(2) Advises that on the basis of available information, such operations or practices are contrary to the regulations,

(3) States that the matter HAS BEEN CORRECTED and/or does not warrant legal enforcement action, and

(4) Advises that future compliance with the regulations will be expected.

(b) Letter of Correction (Appendix 10). The Letter of Correction serves the same purposes as the Warning Letter, but is intended for use when there is agreement with the certificate holder that corrective action acceptable to the FAA WILL BE TAKEN WITHIN A REASONABLE TIME.

(1) The Letter of Correction will usually confirm a discussion with the certificate holder in which a violation is acknowledged and appropriate corrective action initiated. It may also cover discrepancies and areas needed for improvement.

(2) The Letter of Correction must not be used to forward suggestions and recommendations by themselves. The Letter of Correction is used solely for the purpose of correcting a bonafide noncompliance item. Reference may be made to an attachment containing recommendations and suggestions, provided each item is appropriately segregated and identified to preclude a recommendation or suggestion from being misinterpreted as a noncompliance item or as requiring corrective action under the FAR's.

(3) When corrective action has not been completed at the time the Letter of Correction is issued, the ACSI must assure that timely follow-up action is completed. Any continuation of the undesirable condition, practice or failure of the certificate holder to fulfill its commitment following receipt of such letter shall result in more severe enforcement action (legal enforcement action).

(4) A discrepancy close-out letter must be issued when deficiencies found during the inspection have been corrected. (Appendix 14).

c. Legal Enforcement Action.

(1) Formal legal action is undertaken to --

(a) Prevent future actions which would violate the regulations (e.g., cease and desist orders, injunctions);

(b) Impose punitive sanctions, after the act, to deter violations (e.g., certificate actions, civil penalties).

(2) Appropriate legal action must be taken in cases which do not meet all of the criteria for administrative action. In determining the appropriate type and measure of sanction to be applied, the following factors shall be taken into account, as applicable:

(a) The nature of the violation and whether deliberate or inadvertent.

(b) The potential or actual hazard to the safety of others created by the violation.

(c) The certificate holder's level of experience and responsibility.

(d) The violator's history of previous violations.

(e) The violator's attitude regarding the violation, including whether the violator voluntarily disclosed the violation, and actions taken to correct it.

(f) The impact of a proposed sanction on the violator and its value as a deterrent to others similarly situated.

(3) The determination of the type of legal enforcement action and sanction to be taken in addressing a violation is the joint responsibility of the regional Airports division and Assistant Chief Counsel. An important objective in conducting the enforcement program is to achieve uniformity of action throughout the FAA. The policy, procedures, and guidance set forth in Order 2150.3 must be adhered to by all ACSI's, insofar as practicable. Independent judgment, however, must be constantly exercised:

(a) On those occasions where the facts of a particular case may make these procedures and guidelines impractical, suitable alternatives may be used.

(b) It is important that the regional Assistant Chief Counsel and AAS-300 be advised of the legal enforcement action planned and be kept informed of the current status of the enforcement proceeding in enforcement cases. Such advice is for information purposes only. Such cases include:

(1) Any case arising out of a major aircraft accident when there have been fatalities involving operations in air transportation.

(2) Any case which proposes certificate action.

(3) Any case in which a civil penalty in excess of $10,000 is proposed.

(4) Any case involving a major aviation safety issue or other unusual or special circumstances which may create national interest.

(4) The two types of legal enforcement action are:

(a) **Civil Penalty Action.** After determining that a civil penalty is the appropriate type of enforcement action, prepare the EIR (Appendix 18) pursuant to Order 2150.3, Chapter 9, and coordinate with the regional Assistant Chief Counsel, who will use the guidelines of Order 2150.3, Chapter 12, paragraph 1202, to process the case.

(b) **Certificate Action.** The types of certificate action that can be considered are defined in Order 2150.3, Chapter 2. These actions are as follows:

(1) Certificate suspension can be considered when:

(aa) Operational safety requires it and all other means for timely correction of an unsafe condition, or assuring safe aircraft operations, cannot be achieved.

(bb) Technical proficiency or qualifications of the certificate holder to perform the duties required by FAR Part 139 are inadequate.

(cc) The certificate holder resists or is unwilling to take action to correct or mitigate a noncomplying condition which directly affects the safe operation of air carrier aircraft, or

(dd) The certificate holder willfully fails to perform the corrective action agreed upon and punitive action is the last alternative available to the ACSI to preclude unsafe operations on the airport's movement areas.

(2) Certificate revocation can be considered when:

(aa) The certificate holder is incapable of corrective action and has demonstrated by repeated offenses and unwillingness or inability to comply with vital safety provisions of the regulation, and that continued possession of the certificate would be detrimental to the public interest.

(bb) The certificate holder has clearly demonstrated a lack of responsibility, such as deliberate and flagrant acts of noncompliance, or falsifying records.

(3) Emergency Suspension or Revocation of Certificate. Emergency action is to be taken ONLY when it is clearly needed in the public interest and must be taken immediately when such action is recognized. Emergency action will not be used for punitive reasons. Evidence justifying such action must show a lack of qualification to retain the certificate. Situations that could warrant emergency action include:

(aa) The certificate holder deliberately disregards its responsibility and allowed an unsafe condition which jeopardized the safe movement of air carrier aircraft on the airport.

(bb) The certificate holder loses all ARFF response capability due to a labor strike.

(cc) The certificate holder continues to operate the airport with a lower ARFF index than that required, after being informed by the FAA that such operations would be in violation of the regulation.

(dd) The certificate holder continues to provide unsafe air carrier airport facilities after being informed of such condition and fails to take corrective action and issue a NOTAM.

(ee) The certificate holder returns an unsafe facility to use by air carriers after being informed that the condition is detrimental to air carrier operations.

(4) Termination of a suspension of an AOC/LAOC. If the airport operator satisfactorily corrects the violation(s) for which the suspension was issued, the regional Airports division manager shall issue a letter advising of that finding with a copy to the regional Assistant Chief Counsel. The regional Assistant Chief Counsel will than take appropriate steps to terminate the suspension order in accordance with FAA Order 2150.3.

(5) In some cases it may be appropriate to suspend the certificate for a reasonable time pending the correction of the violation(s). However, an airport operator should not be permitted indefinitely to hold an AOC/LAOC in order to have additional opportunities to correct the violation. Generally, if the certificate holder has twice submitted to a reinspection and twice failed, the AOC should be revoked.

(6) An airport operator whose AOC/LAOC has been revoked and wishes to have a new AOC/LAOC shall be required to apply for a certificate in accordance with FAR Part 139.103.

d. A certificate action may have significant impact on air commerce, as well as generate a political tumult. However, the public interest and safety of air carrier operation on the movement areas must be the principal factor governing any proposed certificate action, after all other means of resolving safety violations has failed to restore compliance.

e. Any proposed suspension or revocation action must be closely coordinated with AAS-300 and other FAA elements that might be impacted by the proposed action. Authorization must be obtained from the regional Airports division manager before taking the action.

f. Determine the Type of Enforcement Action. The ACSI must decide whether compliance may best be obtained through administrative action or through legal enforcement action using all information available to him/her at the time, including guidance provided in FAA Orders.

g. Selection of Legal Enforcement Action. The selection of a specific legal enforcement action instrument to be used (certificate or civil penalty action) must be a joint determination by the regional Airports division and regional Assistant Chief Counsel.

h. Selection of Sanctions. The ACSI is responsible for the selection of sanctions. Sanctions must be as uniform as possible, but of paramount importance is the requirement that the sanction selected in each case be sufficient to serve as a deterrent. Enforcement sanctions must be applied as consistently as possible, but this does not imply blind adherence to a fixed penalty for every violation. While agency directives provide guidance on sanctions, each enforcement case requires an individual determination of appropriate enforcement action. ACSI's should feel free to recommend action which, in their professional judgment, appropriately serves the purpose of the Compliance and Enforcement Program.

504. INVESTIGATION OF ALLEGED VIOLATIONS.

a. Upon receipt of information indicating a possible violation, the ACSI should initially evaluate as much factual data as is readily available to determine whether there appears to be any basis for conducting an investigation. It is the responsibility of the ACSI to conduct appropriate investigations of all alleged violations of FAR Part 139 which may be discovered from an inspection or be reported by another source. The following questions must be addressed:

(1) What section of the pertinent regulation is involved in this allegation?

(2) What evidence is needed? What records and at what stage of the investigation are such records checked and which ones are needed to establish the violation? Are the records furnished voluntarily or is a subpoena necessary?

(3) Where is the evidence and what are the problems that may be encountered in obtaining it?

(4) Who needs to be interviewed and what written statements need to be obtained?

(5) Will there be a need for imposing Section 1004 of the Federal Aviation Act, as amended, to subpoena witnesses and records?

(6) Is there a need for immediate legal enforcement action, such as emergency suspension, in situations where delay for routine handling may jeopardize public safety?

(7) Is the ACSI continually reevaluating his/her activities to assure that your investigation will establish WHO, WHAT, WHERE, WHEN, WHY, AND HOW? It is imperative that the ACSI carefully consider the circumstances of the allegation and the nature of the violation, and develop an appropriate investigative plan (see Order 2150.3, Chapter 4, for guidance in planning and conducting investigations).

b. Enforcement Investigative Report Number (EIR). In all cases, the ACSI shall assign an EIR for future reference to all matters relating to the case and will ensure coordination with other FAA offices who may have an enforcement interest in the case or may contribute to the evidence gathered during the investigation.

c. Letter Of Investigation. If evidence exists that a violation may exist, the alleged violator shall be notified in writing (see Appendix 11) that an FAA investigation is being conducted, and be provided an opportunity to present any pertinent information on the matter. A record of such notification shall be included in the file.

(1) In preparing the Letter of Investigation, the following guidelines must be observed:

(a) Facts and circumstances which necessitate the investigation must be described in sufficient detail to identify the alleged violation. However, the letter is not intended to be a statement of charges. Specific sections of the FAR's should not be cited unless specific regulatory references are needed to identify the incident accurately. If facts and circumstances are adequately presented, the Letter of Investigation need only state that those facts and circumstances, if correct, indicate that there may have been a violation of the FAR's.

(b) An appropriate time limit for reply, normally not to exceed 10 days, must be specified. Any reply received after such deadline will be forwarded and considered as appropriate with the case review.

(c) The letter may also request that specific documents be retained or made available.

(2) **Use of Certified Mail.** The Letter of Investigation will be sent certified mail, so as to establish a record of notice to the certificate holder under investigation. A telefax with follow-up in certain urgent circumstances might be appropriate.

(3) **Distribution of the Letter of Investigation.**

(a) The original letter is directed to the alleged violator.

(b) A copy is sent to AAS-300.

(c) The investigating office must notify the alleged violator orally, when it is determined that such notification would be in the best interest of aviation safety.

d. Legal Enforcement Processing. It is the responsibility of the regional Assistant Chief Counsel to undertake all processing of legal enforcement actions.

e. Regional Office Review. All actions taken by the regional ACSI's shall be reviewed by the regional Airports division manager, or his designee, to ensure fair and equal treatment and to provide assurance that action taken serves to promote safety and protect the public interest. Regional offices must advise their counterparts in headquarters of significant enforcement activities as defined in paragraph 503c3(b).

f. Headquarters Review. AAS-300 shall monitor and evaluate regional enforcement procedures to ensure adherence to this policy and consistent enforcement nationally. They must advise the regional Airports division manager of any deficiencies or discrepancies, and undertake any special investigative or enforcement action.

505. CLOSING THE INVESTIGATION. If, subsequent to issuance of a Letter of Investigation, it is determined that no violation occurred, the ACSI shall notify the alleged violator, with copies to all recipients of the Letter of Investigation, that the matter has been closed (see Appendix 12).

506.-599. RESERVED.

CHAPTER 6. ACCIDENT/INCIDENT INVESTIGATION RESPONSIBILITIES AND PROCEDURES

600. PURPOSE. The purpose of this Chapter is to define the FAA's responsibilities in accident/incident investigations as applicable to airport certification.

601. BACKGROUND. The purpose of accident investigations conducted by the NTSB or delegated to the FAA is to ensure that all facts and circumstances leading to and subsequent to the accident are recorded and evaluated and action taken to prevent a recurrence of similar accidents. The primary purpose of the NTSB accident investigation is to determine probable cause. The FAA has nine specific responsibilities during each investigation which could have a direct bearing on the causal factors of an accident. These nine FAA responsibilities are defined by Order 8020.11, Aircraft Accidents & Incidents--Notification, Investigation, and Reporting.

602. INVESTIGATION PARTICIPATION BY AIRPORT SAFETY AND STANDARDS. The Office of Airport Safety and Standards participates in aircraft accident/incident investigations when airport functions are involved.

a. Operations Centers. When a telephone notification of an accident or incident is received from any source, the Regional Operations Center (ROC) or Washington Operations Center (WOC) duty officer will contact the appropriate offices/representatives for conferences or briefings as necessary.

b. Office of Airport Safety and Standards, Airport Safety and Operations Division. Upon notification given by headquarters or regional sources that an aircraft accident/incident with airport involvement has occurred, AAS-300 will determine whether AAS-300 personnel will participate in the investigation; he/she will then contact the appropriate manager of the regional Airports division or designate and coordinate regional participation in the investigation. The region will select the ACSI(s) to be assigned to participate in the investigation and assure the necessary resources for the assignees to conduct the investigation. It is recommended that the Lead ACSI receive this assignment unless the accident occurs at an airport he/she inspects. The assigned ACSI(s) will be notified through the emergency call-up procedures developed by each regional Airports division in concert with the ROC. Due to NTSB policy, the designated individual should not be the ACSI who performed the last FAR Part 139 inspection.

603. OFFICE OF AIRPORT SAFETY AND STANDARDS RESPONSIBILITIES.

a. AAS-300 is designated the primary contact and focal point in the Office of Airport Safety and Standards with regard to the coordination of accident and incident investigation with the Accident Investigation Division, AAI-100.

b. AAI-100 will immediately notify the designated representative of AAS-300 of air carrier and commuter accidents which occur on or near an airport and provide available information concerning the accident to that individual. Upon receiving this information, a determination will be made as to whether AAS-300 or regional ACSI's (or both) will participate in the accident investigation. The AAS-300 determination to send personnel to an accident which occurs on an airport will be based on the following criteria:

(1) Major accident with fatalities and or significant fire (AAS-300 and regional participation).

(2) Accident or incident with no fatalities or significant fire (regional participation only).

c. When AAS-300 certification personnel participate, arrangements will be made with AAI-100 for transportation on FAA aircraft (if available). If it is not available, commercial air transportation will be used (If a FAA Form 8430-13 for Flight Deck Entry is required in lieu of a FAA Form 8430-6, contact Flight Standards, see Chapter 7.)

d. AAI-100 will be provided with a current listing of AAS-300 individuals from which one will be notified. If AAS-300 is to participate in the investigation, AAI-100 will make arrangements for a credentialed headquarter's Certification Safety Specialist to participate in the accident investigation.

e. AAI-100 may request AAS-300 to provide Airports specialists in areas other than airport certification. Upon receipt of such a request, AAS-300 will contact the appropriate Airports organization in order to provide the specialty needed.

f. Special emphasis will be given to those items required and contained in the ACM/ACS at airports certificated under FAR Part 139. Investigations should include an analysis of the self-inspection reports prepared by airport personnel to determine if an airport deficiency possibly relating to the accident has been previously reported, and if action(s) had been taken to make a correction.

g. If during the course of the investigation, possible violations of FAR Part 139 become evident, regional Airports Certification Staff who are not participating in the investigation shall be notified immediately so that corrective action and enforcement action shall be initiated.

h. At those airports subject to Federal agreements (airport grants and surplus property), special emphasis will also be given to any contributing factors that are associated with or pertinent to provisions of such agreements.

i. Upon receipt of accident or incident information from AAI-100 or any other source that may involve airport functions, a preliminary report will be made by AAS-300 to AAS-1 and other interested divisions and branches.

j. AAS-300 will advise AAS-1 and other appropriate divisions and branches of any involvement of Airports functions that may come to light during the accident/incident investigation.

k. All Airports representatives will report to the FAA Investigator-in-Charge (IIC) and may be assigned to a working group when their expertise is required. AAS-300 participation is only oversight and is not to be a part of the NTSB investigation group.

604. INVESTIGATION PARTICIPATION BY REGIONAL AIRPORTS DIVISION. If called upon, regional Airports division personnel will be required to participate in an accident investigation to meet agency responsibilities. In such participation, a representative is designated to coordinate the division responsibilities and provide assistance and required reports to the FAA IIC.

605. REGIONAL AIRPORTS DIVISION RESPONSIBILITIES AND PROCEDURES.

a. Regional Airports division managers shall make arrangements for receiving immediate notification of accidents and incidents from the ROC and other sources as may be deemed appropriate.

b. Upon receipt of notification that an accident/incident has occurred that may involve Airports Safety and Standards functions, including FAR Part 139, the region having jurisdiction will designate an ACSI to assist in the accident investigation. Due to NTSB policy, the designated individual should not be the ACSI who performed the last FAR Part 139 inspection. When the FAA IIC assigns the Airports representative to a group, the representative will remain with that group until released by the group chairman and the FAA IIC.

c. When the participating ACSI observes or is aware that an alleged FAR Part 139 deficiency may have occurred before or after the accident, an immediate request for a second ACSI will be requested to investigate this matter.

d. When a regional Airports division has been requested to provide a specialist other than an ACSI to participate in the accident investigation, the specialist will be instructed in the proper procedures to be followed by the participants in an investigation.

e. When requested by the FAA IIC, an investigation will be made regarding those items of an airport operator's responsibility which are pertinent to the accident or incident on the airport.

606. DUTIES OF FAA PARTICIPANTS. For NTSB conducted investigations, the ACSI's shall:

a. Report to the FAA IIC for group assignment.

b. Participate in the investigation as a group member, directed and released by the group chairman.

c. Be alert at all times to FAA responsibilities set forth in this Chapter. Report any observed deficiencies to the FAA IIC as soon as possible.

d. Report to the FAA IIC upon being released by the NTSB Group Chairman at the end of each day's activities and prior to departing the scene at the close of the investigation.

e. Furnish to the FAA IIC a copy of each exhibit and/or item of information obtained while participating in the group investigation.

607. ACCIDENT/INCIDENT INVESTIGATION GUIDELINES.

a. **Access to the Wreckage Site.** The ACSI must have an ACSI's Credentials on his/her person to gain access to the accident scene.

b. **Investigator Safety.** An area of vital importance often overlooked or not considered during the investigation is safe investigation practices and common sense safety precautions. Consideration by each participant in an aircraft accident investigation must be given to such items as:

(1) Control of one's emotions due to the disruptive effect of a disaster;

(2) Use calm and competent behavior to preclude frantic or ill-advised action;

(3) Arrive at the scene equipped with basic and suitable gear appropriate to the climate and terrain conditions. Regional Airports Divisions should provide each ACSI in their region with the appropriate clothing and equipment for accident investigation for their safety. Consideration should be given to the following:

1. Footwear (heavy duty, waterproof).

2. Gloves (both heavy duty leather and latex).

3. Coveralls (serviceable and capable of withstanding rough use).

4. Hardhat.

(4) Wearing gloves when handling wreckage;

(5) Follow advice of local experts such as forest rangers, mountain rescue teams, surveyors, and law enforcement personnel as to the type of protection needed in certain terrain;

(6) Understand the effects of fatigue on the safety of performance long before total exhaustion takes place;

(7) Adjust workload to the circumstances; more may be accomplished in a well organized 6-hour day than in an unorganized 12-hour day;

(8) The quality of the investigation is best served by an awareness of the need for fitness, physical and mental, until the job is done;

(9) Be cognizant of the following list of potentially hazardous items that may be present at the accident scene: fuel and oil; pneumatic and hydraulic fluids; electrical materials; oxygen; tires that may explode; batteries that may explode; controls that may move; wreckage that may shift; on frozen water, ice that may give under wreckage; toxic agents that may be present with a fire; and the possibility of snakes at the scene.

(10) ACSIs shall comply with Order 8020.14, Bloodborne Pathogens, and are authorized to receive the Hepatitis "B" series of injections.

c. Witness Statement. Good witness statements depend largely upon the interviewer. The interviewer's words, actions and attitude can determine to a large extent the tone and effectiveness of an interview. Most witnesses are willing to tell what they know when they are informed that the information is to be used to prevent similar accidents in the future. The qualifications of witnesses should always be considered.

(1) **Written Statements.** Use NTSB Form 6120.11, Statement of Witness, when practicable. It is good practice to have the witness give an oral account first. This gives the ACSI an opportunity to develop the significant features of the witness testimony.

(2) **Oral Statements.** A witness may refuse to provide a written statement but will give oral testimony. Preface the written account of an oral statement with a brief explanation, e.g., "John Doe, age 42, a home builder, said he was working on a new house about 200 feet from the accident scene. He declines to give a written statement." Relate witness' story accurately. A tape recorder may be used provided the witness gives consent. Indication of the consent must be included with the introductory statements at the beginning of the recording. Have a third person present for confirmation of the written account of the oral statement and have the third person sign the statement, certifying it to be what the witness stated.

608. INVESTIGATION TO DETERMINE STATUS OF FAR PART 139 COMPLIANCE AT THE TIME OF THE ACCIDENT.

a. Particular care in evaluating the certificate holder's ACM/ACS in comparison to those actions and services provided in response to the event must be examined as a part of the compliance evaluation. The emergency response procedures and responsibilities implemented during the aftermath should be compared to those details contained in the AEP element of the ACM/ACS (if applicable).

b. Perform a systematic inspection of regulatory elements of the airport's facilities after the event, and address those manual elements pertaining to procedural matters activated in response to the event.

c. The chronology of actions and the voice communication that occurred during the event are vital ingredients of a well documented investigation. Tape recordings of the verbal communications between the ATCT, ARFF personnel, operations vehicles, as well as emergency command post instructions, should be reviewed.

d. Interview witnesses, response personnel, and uninjured victims of the event for statements describing and verifying the event sequence and response actions taken by the certificate holder.

e. The compilation of all the facts and physical evidence gathered during the investigation must provide sufficient evidence of compliance or noncompliance with the terms of the certificate. EIR file folders in conjunction with Orders 2150.3 and 8020.11 must be readily available to assist you in assembling and processing any enforcement action resulting from the inspection. The content and items of proof contained in the EIR file should be coordinated with the IIC before releasing them to the home office.

609. RECOMMENDATIONS FOR ACCIDENT PREVENTION AND CORRECTIVE ACTION.

a. Purpose. ACSI's and FAA managers should always be alert for issues which warrant corrective action, whether as a result of an accident/incident investigation or during the conduct of other FAA duties. AAS-300 will evaluate and respond to NTSB recommendations.

b. Recommendations for Corrective Action. Accident prevention recommendations related to deficiencies which involve design, operations, or maintenance practices, or in establishing standards, procedures, or policies shall be submitted as follows:

(1) The ACSI shall prepare a memorandum which describes briefly the accident and the areas which are deficient. Sufficient details and/or substantiating information should be included to allow the development of meaningful corrective action. The narrative and the analysis of deficiencies will be followed by the recommendations for accident prevention and corrective action. A separate recommendation should be written for each issue. The memorandum shall reference this Order and be forwarded directly to the regional Airports division manager and AAS-300. If the ACSI or other person submitting the recommendation believes an emergency situation exists and further operation would jeopardize life or property, he/she should initiate immediate action by personal or telephone contact to the regional Airports division manager and AAS-300 to coordinate any contemplated certificate action.

(2) AAS-300 shall review each recommendation and forward the recommendation to the Recommendation and Quality Assurance Division (AAI-200) of the Office of Accident Investigation.

(3) Each safety recommendation shall be examined by AAS-300. AAS-300 will ensure that a recommendation has practical and realistic safety potential before being forwarded to AAI-200.

(4) The FAA action office assigned by AAI-200 has 90 calendar days to evaluate a recommendation and forward the corrective action to AAI-200, who will in turn forward it on to AAS-300. AAS-300 shall evaluate the action and notify AAI-200 of their evaluation of the action within 30 calendar days after the corrective action is received. AAI-200 will in turn notify the submitter of the action.

(5) The purpose of the final review by AAS-300 is to evaluate the response to each recommendation. It is recognized that there will be instances where the evaluating FAA office will reject the recommendation for valid reasons. If AAS-300 believes the recommendation has merit and that the evaluating office was not responsive with the proposed corrective action, additional measures shall be taken by the Office of Airport Safety and Standards in conjunction with AAI-200 to resolve the safety issue identified by the recommendation. As a minimum, the responsible FAA office will be asked to reevaluate the safety recommendation and the reasons for initial rejection of the recommendation.

610.-699. RESERVED.

CHAPTER 7. COCKPIT ACCESS PROCEDURES

700. PURPOSE. This Chapter will better define the eligibility requirements and the procedures for ACSI's to follow when obtaining cockpit access. During the course of conducting Airport Certification Safety inspections, viewing marking and lighting and other airport safety requirements from the cockpit provides the pilot's perspective for the ACSI that cannot be achieved from a ground vehicle.

701. ELIGIBILITY. Credentialed ACSI's are eligible to utilize the flight deck procedure.

702. PROCEDURE.

a. ACSI's will use FAA Form 8430-6, Admission to Flight Deck, which will permit access to air carrier flight decks. The following guidelines should be adhered to for proper use of this form:

(1) A standard passenger ticket should be purchased.

(2) A seat in the passenger cabin must be available.

(3) Authorization from the air carrier as well as the pilot-in-command of the requested flight must be secured.

(4) The form may be used on a "must fly" basis in conjunction with an airport inspection or accident investigation, pursuant to FAR Part 121.547 (a)(3).

(5) Adherence to air carrier dress code requirements.

b. To obtain a FAA Form 8430-6, ACSI's need to apply to AAS-310 through their branch manager. AAS-310 who will coordinate a list of current credentialed ACSI's with Flight Standards in headquarters on October 1 of each year. Certification branch managers should forward a list of these ACSI's to AAS-310 by September 1 for inclusion on the list. AAS-310 will send authorized ACSI's a Form 8430-6 valid for a 12-month period. The holder of the form will be responsible for contacting and making arrangements with the appropriate air carrier as necessary for the desired flight. At the discretion of the specific air carrier these arrangements may be made over the phone or at the gate. However, in most cases it is recommended that contact be made with the air carrier a few days prior to the flight to determine their procedures for flight deck entry. ACSI's should be aware that possible relinquishment of the jump seat may be required to an FAA air carrier inspector holding a FAA Form 110A, Aviation Safety Inspector's Credential.

c. On certain occasions when a passenger cabin seat is not available and the use of the jump seat by an ACSI is of an urgent nature, such as participating in an aircraft accident investigation, the regional Flight Standards division will provide alternate jump seat authorization, such as FAA Form 8430-13. This provision will be determined on a case by case basis. In this case, a ticket need not be purchased as the Form 8430-13 serves this purpose.

703. INSPECTOR RESPONSIBILITY. ACSI responsibilities shall include the following:

a. No ACSI will exercise cockpit access privileges if alcohol has been consumed 8 hours prior to flight time.

b. During flight it is the obligation of the ACSI to report any obvious safety violations to the proper office.

c. No ACSI will engage in any activity during a critical phase of flight which could distract or interfere in any way with the proper conduct of the flight crew member duties. Critical phases of flight include all ground operations involving taxi, takeoff, landing, and all other flight operations conducted below 10,000 feet except cruise flight.

704.-799. RESERVED.

CHAPTER 8. INSPECTOR TRAINING, QUALIFICATION, AND CREDENTIALS

800. PURPOSE. This Chapter prescribes criteria, policies, and procedures for the training and issuance of identification credentials to ACSI's.

801. BACKGROUND. The ACSI's credentials will identify the bearer as an accredited representative of the FAA authorized to perform Airport Certification inspections and to discharge those duties as provided for by FAR Part 139; Section 612 of the Federal Aviation Act of 1958, as amended. In order to obtain the credentials, individuals must qualify by meeting certain specific requirements. In order to retain the credentials, the ACSI must maintain currency as prescribed in paragraph 810. Management must be conscious of these requirements and take appropriate measures to assure that qualified persons are available and current to conduct regional certification programs without interruptions caused by the lack of such persons. Considering the limited number of personnel assigned with airport certification as their primary duty, it is appropriate that cross-training of personnel assigned to other Airports program areas be accomplished. However, the assignment of full-time ACSI's is encouraged.

802. POLICY.

a. Individuals meeting the eligibility criteria stated in paragraph 805 will be issued ACSI's credentials.

b. The duties of the ACSI, as set forth in this Order, will be performed only by persons who have been issued ACSI credentials or who temporarily hold inspection authorization as described in paragraph 811 of this Order. This does not preclude the use of technical specialists to assist in the Certification Program provided that the overall responsibility for determining an airport's compliance with certification requirements remains with an ACSI qualified in accordance with this Order.

803. APPROVAL AUTHORITY. The Director, Office of Airport Safety and Standards, AAS-1, is the approving authority for issuance of the ACSI's credentials.

804. RESPONSIBILITY. The Manager, Airport Safety and Operations Division, AAS-300, is responsible for establishing the criteria for eligibility, issuance, and accountability of FAA Form 5280-5, ACSI's Credentials. The Office of Civil Aviation Security, ACS-1, monitors and inspects the procedures for the issuance and control of credentials as required by Order 1600.25, FAA Identification Media.

805. CRITERIA FOR ELIGIBILITY. Credentials are issued to qualified persons who are assigned the duties of ACSI and meet the following criteria:

a. Have a background/experience related to aviation or airport safety (see paragraph 807 for the desirable background);

b. Have completed the training requirements of paragraph 806; and

c. Receive a recommendation from their regional Airports division manager.

806. INSPECTOR TRAINING. The training objective is to provide the ACSI with a basic knowledge of airport operations which will enable him/her to administer the regulatory Airport Certification Program. The knowledge is acquired through a combination of formal training courses and on-the-job training.

a. The minimum training that must be completed prior to issuance of an ACSI's credential includes all of the following courses given by the FAA Academy and/or recognized institutions:

(1) FAA Academy: Airport Certification Course (#06030) or #06041;

(2) Compliance and Enforcement Procedures Course (#12020);

(3) Aviation Fuel Handling (#06034) or #06041, or acceptable substitute as determined by AAS-300;

(4) Aircraft Rescue and Firefighting Training School;

(5) Airport Master Records (#06031); and

(6) At least 3 months of on-the-job training to include administrative procedures and a minimum of six inspections with a qualified ACSI.

b. Additional FAA training courses:

(1) Introduction to Aircraft Accident Investigation Course (#00001). This mandatory course must be taken within 2 years after an ACSI receives his/her credential. Completion of this course will defer the recurrent training requirement (paragraph 810) by 1 year.

(2) NAVAIDs and Lighting (#06019) by FAA Academy. This course is desirable.

(3) Compliance and Surplus property (#06026) by FAA Academy. This course is desirable.

807. AVIATION BACKGROUND/EXPERIENCE. The following training and accomplishments are desirable background qualifications for an ACSI:

a. Flight training (ground and flight experience).

b. Airport management, operations, airline management (experience or institutional).

c. Experience in other FAA Airports programs.

d. Experience in other FAA safety enforcement programs.

808. ON-THE-JOB TRAINING (OJT). The following OJT items should be observed by the ACSI candidate during the inspection process. This includes preparation in performing an effective critique of the certificate holder's compliance with the regulations.

a. Preinspection file review. Refer to the outline contained in Chapter 3.

b. On-site OJT inspection process observation.

(1) **Observation.** The ACSI candidate must participate in at least three inspections conducted by a credentialed ACSI as an observer. The candidate should observe at least two experienced credentialed ACSI's prepare for and conduct periodic inspections. The inspections should range from an airport with an LAOC to an airport with an AOC with at least an Index C.

(2) **Supervised Inspections.** The ACSI candidate must conduct at least three independent inspections including an airport with an LAOC, and one with an AOC of at least Index C level, under the supervision and observation of an experienced credentialed ACSI. The preinspection and on-site inspection process described above will be critiqued by the credentialed ACSI assigned to oversee the OJT of the candidate. The candidate will be responsible for preparing all inspection documents for signature by the credentialed ACSI. The monthly activity report will indicate the training accomplished.

809. SATISFACTORY COMPLETION OF OJT ASSIGNMENTS. Upon completion of all OJT assignments, the credentialed ACSI will evaluate the candidate's OJT performance and prepare a brief appraisal indicating the ability of the ACSI candidate to perform the duties of an independent ACSI. If the appraisal is satisfactory, it will be forwarded to the branch manager, who will prepare a request for credential issuance by AAS-300.

810. CURRENCY REQUIREMENTS.

a. In order for a regional credential holder to perform the inspection duties prescribed in this order, it is necessary to maintain currency by compliance with the following:

(1) Perform a minimum of two Airport Certification inspections within the last 6-month period as the principal ACSI. These inspections are to be reported on the monthly Airport Certification Activity Report, FAA Form 5200-6, showing the ACSI's name and credential number. No more than half these inspections should be at limited certificate airports.

(2) At least once every 3 years after receiving his/her credential, an ACSI shall attend a recurrent training course. Completion of recurrent training will also be reported on the Monthly Airport Certification Activity Report, FAA Form 5200-6, by the ACSI's name.

b. If a regional credential holder fails to remain currently qualified, he will return his credentials to AAS-300 within 45 days after currency qualifications expire.

c. The Manager, Airport Safety and Operations Division, will request that the regional Airports division manager secure and return credential cards for any ACSI in his organization whose currency has lapsed by more than 60 days.

811. TEMPORARY INSPECTION AUTHORIZATION.

a. When deemed necessary to achieve program objective's, the Director, Office of Airport Safety and Standards, may temporarily issue credentials to individuals who have not met the minimum criteria for full credentials listed in paragraph 806. Such individuals must have significant experience in airport safety and must be recommended by the regional Airports division manager. The temporary issuance of a credential may be granted for a period to be determined by the Manager, Airport Safety and Operations Division, and will normally not exceed 180 days.

b. Requests for issuance of ACSI credentials on a temporary basis **shall** be made to the Manager, Airport Safety and Operations Division, and shall include:

(1) The name and background/experience information of the recommended individual;

(2) A list of training accomplishments and intended schedule for completion of the requirements listed in paragraph 806.

(3) The length of time the credential will be needed; and

(4) The region's plan to obtain a fully qualified ACSI.

(5) A minimum of six OJT inspections accompanied by a full time ACSI. At least two of these inspections must be with a regional lead ACSI.

812. APPLICATIONS FOR CREDENTIALS.

a. Application for credentials shall be made to the Manager, Airport Safety and Operations Division, AAS-300, on FAA Form 1600-14, Identification Card/ Credential Application. All blocks on the front side of the form will be completed. The applicant's office symbol is entered in the "DOT Comp" block. The regional Airports division manager will sign as authorizing official. On the reverse side, enter "AAS Safety Inspector," and on the blank space below enter "Special Agent."

b. The applicant must provide two 1-3/4 inch full face color photographs which are printed on thin, lightweight photographic paper. Standard commercially available color passport photographs are acceptable so long as they can be cut down to 1-3/4 inch width without impairing the facial area. Photographs taken in self-operated photograph booths are not acceptable.

c. Upon receipt of the application, AAS-300 will forward to the region the number of credentials requested for distribution to the eligible applicant(s) for signature.

d. The signed credential will be enclosed in an envelope and mailed to AAS-300 for further processing.

e. FAA Form 1600-14 can be obtained through normal supply channels at the FAA Depot. The NSN is 0052-00-049-4002, and the unit of issue is a set.

NOTE: *DO NOT USE* paper clips or staples which may damage the photographs. If several applications are being mailed at the same time, each application, along with photographs and signed credential card, shall be enclosed in separate envelopes inside a large envelope for mailing. Also, use of overnight delivery is the preferred way of mailing the appropriate forms.

813. ISSUANCE, ACCOUNTABILITY, AND CONTROL.

a. The Manager, Airport Safety and Operations Division, AAS-300, is responsible for the issuance and control of ACSI's credentials.

b. Following completion of the required actions, AAS-300 will return the credentials to the regional Airports division manager for delivery to the applicant. A receipt will be obtained from each individual upon delivery of the credential. The regions will maintain an up-to-date record of all current credential holders within the region. A file of all original applications (FAA Form 1600-14) will be maintained in AAS-300. Accredited personnel who transfer from one region to another and whose duties remain unchanged shall retain their credentials. AAS-300 shall be notified in writing of the transfer of accountability.

c. The ACSI's credential is a one-part credential consisting of FAA Form 5280-5. It is printed in blue ink on white 3- by 5-inch paper, with the DOT seal centered in the middle of the card. It will include a photograph, title, and signature of the holder, and is signed by the Director, Office of Airport Safety and Standards, AAS-1, as the approving authority, or his designee.

814. USE OF CREDENTIALS.

a. The credentials shall be used only in the conduct of official business.

b. Holders of credentials are responsible for their proper safekeeping at all times. Credentials must not be left unattended.

c. Misuse or improper possession of the credential can subject the offender to disciplinary actions or possible penalty under Title 18, U.S.C.

815. LOST, STOLEN, OR DAMAGED CREDENTIALS.

a. The ACSI's credential is accountable government property. If a credential is lost or stolen, the regional Airports division manager shall be notified immediately. This shall be confirmed in writing to AAS-300, citing the circumstance surrounding the loss within 48 hours of the loss.

b. Reasonable effort should be made to locate the credential. If this cannot be done within a reasonable time or if the recovered credential is damaged to the extent that it can no longer provide adequate identification, application for a replacement may be made through normal channels. Recovered credentials shall be returned to AAS-300 via REGISTERED MAIL for final disposition.

c. Upon receipt of a properly executed application and written explanation of loss, AAS-300 will proceed to issue a replacement.

d. The Office of Civil Aviation Security Division, ACO-1, shall be notified by AAS-300 of credential loss.

816. SURRENDER OF CREDENTIALS. The ACSI's credential shall be surrendered to the holder's supervisor who shall forward the card to AAS-300 for proper disposition. The credentials shall be surrendered under any of the following conditions:

a. Termination of employment;

b. Reassignment to a position which does not require an ACSI credential;

c. Issuance of a revised credential;

d. Not maintaining recurrent training and experience as specified in paragraphs 810; or

e. Upon demand of issuing authority.

817. DESTRUCTION. Any ACSI's credential which becomes damaged during processing or invalid upon termination or transfer of an employee shall be forwarded to AAS-300 for destruction.

818. INSPECTOR EXCHANGE PROGRAM (RECURRENT TRAINING).

a. It is strongly recommended that each credentialed ACSI participate in at least one OUT-OF-REGION INSPECTION biennially to observe the different techniques used by other ACSI's. AAS-300 will assist the regions with any coordination required to make the concept of the ACSI exchange program a workable program.

b. ACSI's may be asked to conduct OUT-OF-REGION inspections in other regions where a shortage of ACSI's has occurred.

819. RECURRENT TRAINING (FAA ACADEMY). Annual Recurrent Certification training will be held as determined by AAS-300 and the FAA Academy. All credentialed and candidate ACSI's are encouraged to attend this training annually. However, attendance at recurrent training shall be required at least once every 3 years.

820. REISSUANCE OF ACSI CREDENTIALS. For a person who has been out of the program for more than 1 year:

a. Conduct three inspections accompanied by the lead ACSI and;

b. Attend the first available recurrent ACSI training.

821. REGIONAL LEAD ACSI. The Lead ACSI:

a. Shall ensure that certification inspections performed by regional ACSI's are consistent with regional and Washington policy.

b. Should act as the regional Airport's representative at NTSB/FAA accident investigations on airports within his/her region. If an accident occurs at one of the airports inspected by the lead ACSI, then it is recommended that an alternate full-time ACSI act as the regional Airports representative.

822.-899. RESERVED.

CHAPTER 9. PETITIONS FOR EXEMPTIONS

900. GENERAL. A petition for exemption is a request from a member of the public to be exempted from the requirements of a rule or part of a rule. Petitions for an exemption from a FAR usually originate from aircraft manufacturers regarding airworthiness rules; from airlines regarding aircraft operating or maintenance rules; from pilots for airman or medical rules; or from airport operators for airport certification rules. Subpart B of FAR Part 11 covers the requirements for such petitioners.

901. RECEIPT OF PETITION FOR EXEMPTION. Section 11.25(b) specifies that in case of any petition for exemption filed under FAR Part 139, the petition for exemption be submitted in duplicate to the appropriate FAA Airports regional office in whose area the petitioner proposes to establish or has established its airport. Any petition for exemption from FAR Part 139 should be forwarded to the regional Certification Staff for processing.

902. PROCESSING THE PETITION.

a. Docket. Regional Certification Staff will contact AGC-10 for a docket number, which is to be typed on the incoming petition if it meets the requirement set forth in b below. A copy of the petition, bearing the docket number, must be sent to the Office of Chief Counsel, AGC-200. Any correspondence to the petitioner will include the docket number.

b. Initial Review for Compliance. Petitions for exemption are to be reviewed by the regional Certification Staff to ensure that the following items are included in the petition for exemption (see Section 11.25 for the complete requirements):

(1) an explanation of the nature and extent of the relief sought;

(2) information, views, or arguments to support the action sought;

(3) the reason why granting the request would be in the public interest;

(4) the reason why the exemption would not adversely affect safety or the action to be taken by the petitioner to provide a level of safety equal to that provided by the rule from which the exemption is sought.

c. Petition Does Not Meet Requirements. If the petition does not include the information required by Section 11.25, a letter of rejection is prepared for signature of the regional Airports division manager. This letter explains why the petition does not satisfy the requirements and is to be sent to the petitioner within 30 days of the receipt of the petition.

d. Petition Does Meet the Requirements. If the petition meets the requirements of Section 11.25, the regional Airports division prepares a letter acknowledging receipt of the petition within 30 days. This letter is signed by the Airports division manager. A summary of the petition for exemption does NOT need to be published in the Federal Register.

e. Time Requirements. Section 11.25(b)(1) states that the petition must be submitted at least 120 days before the proposed effective date of the exemption. This means that the petitioner may not expect final agency action in less than 120 days from the time of submittal to the FAA. Petitioners in exemption action are not notified until the grant or denial of the petition has been issued.

903. ANALYSIS OF THE PETITION. While each request for an exemption must stand on its own merit, a copy of the petition for exemption is to be sent to AAS-310 for administrative purposes (namely, to see if similar exemptions have been granted in other regions). In an exemption action, maintaining an equivalent or greater level of safety is of primary concern. The analysis should focus on the petitioner's justification that safety would not be adversely affected. Consideration in the analysis should include:

a. The effect of an undue burden upon the petitioner if the exemption is not granted, relative to the burden that others bear in complying with the rule;

b. The effect of setting a precedent with respect to safety and public interest. A review of related previous exemption action may be in order. As with any petition, the FAA may request additional information from the petitioner.

904. PROCEDURES FOR GRANTING OR DENYING THE PETITION FOR AN EXEMPTION.

a. Decision to Grant. After completing the analysis, the FAA may conclude that the petitioner's arguments support a grant of exemption. In this case, the regional Certification Staff will draft a document granting the exemption.

b. Decision to Deny. After reviewing all of the issues involved, the agency may determine that the petitioner has not shown reasonable support to granting the exemption. A decision to deny the exemption is based on the determination that the exemption would not be in the public interest, would adversely affect

safety, or, if applicable, would not provide a level of safety equal to the rule. Under such circumstances, the regional certification staff will prepare a denial of the exemption document. The denial document responds to the same questions cited in the grant of exemption and shall include the FAA's rebuttal to the petitioner's arguments.

c. Partial Grant of an Exemption. If the agency determines that part of the petitioner's request meets the criteria for granting the petition, it may issue a partial grant of exemption. The guidelines for both the grant of exemption and denial of exemption documents should be followed. The document must fully discuss those parts of the request that are being denied and those that are being granted.

d. Document Contents. The document granting the exemption should answer the following questions:

(1) What was the petitioner's request?

(2) What does the current rule require?

(3) What arguments did the petitioner use to support the request?

(4) If the regional Airports division does not agree with all of the arguments presented by the petitioner to support the grant of exemption, these reasons shall be discussed. All issues presented by the petitioner are to be addressed. The document should discuss how granting the request will not adversely affect safety and should explain how the action proposed by the petitioner will provide a level of safety equal to the rule. Any conditions, design modifications, operating limitations, expiration date, etc. must be made part of the granting clause.

The format for these documents are shown in Appendix 25.

e. Coordination and Signature. The regional Certification Staff will coordinate the appropriate grant or denial of the petition for exemption within the region's Airports division office, Assistant Chief Counsel's office, and the Certification specialist assigned to the region in AAS-310. The document is then sent to the Regional Administrator for signature. The regional certification staff will then obtain an exemption number from AGC-200, type this number along with the docket number on the upper right-hand corner of the first page and mail the original denial or grant document to the petitioner. The docket number and the exemption number both go on this document even if the document is a denial of the exemption. Copies are sent to the Office of Rulemaking (ARM), AGC-200, and AAS-300. With the copy sent to ARM, send an electronic copy (a disk) of the document. This is entered into a database for agency distribution.

f. Disposition Publication. ARM prepares the notice of disposition for the Federal Register. The action closes the docket.

905. PETITION FOR RECONSIDERATION.

a. Filing a Petition for Reconsideration. A petition for reconsideration is a petition to reconsider a previous denial or grant of an exemption.

(1) Section 11.55(a) requires a petition for reconsideration of a denial of an exemption to be filed with the Administrator within 30 days after a petitioner is notified of a denial of exemption.

(2) Section 11.55(b) allows a party other than the initial petitioner to file a petition for reconsideration of a grant of exemption. This petition for reconsideration must be filed within 45 days after a grant of exemption is issued.

b. Processing a Petition for Reconsideration. The petition for reconsideration must be based on additional information as set forth in Section 11.55(d). The procedures for processing a petition for reconsideration are the same as those for processing a denial or grant of petition for exemption. If the document is a grant or partial grant, it is issued by the Regional Administrator. If it is a denial, it is issued by the Administrator.

906. REQUEST FOR AN EXTENSION OF THE TERMINATION DATE OF AN EXEMPTION. Upon receipt of a request from a petitioner to extend the termination date of an exemption, the regional Airports Certification Staff shall prepare a letter of agreement or denial for the signature of the Regional Administrator. The following information is to be included:

a. The FAR Section;

b. Date of incoming petition;

c. Docket number;

d. "Grant of extension" statement; and

e. Exemption number (after signed).

A copy of the extension or denial shall be sent to AGC-200 and AAS-300 prior to the original exemption termination date.

See Appendix 26 for an example of the proper format and the required "boiler plate" language which is to be included in the letter granting or denying the extension.

907.-999. RESERVED.

CHAPTER 10. PARTICIPATION IN SAFETY RELATED ACTIVITIES

1000. PURPOSE. This Chapter defines the ACSI's recommended role in the following activities.

1001. AIRPORT EMERGENCY PLAN (AEP) EXERCISES. It is recommended that ACSI's attend at least one triennial full scale emergency exercise per year. An exercise should not only be a learning experience for airport/emergency personnel but an opportunity for the ACSI to do a first hand evaluation of the AEP. Normally an ACSI will be only one of several people evaluating an exercise. Any problems or deficiencies brought out during the exercise which require a change to the AEP need to be attended to in a timely manner by airport management.

1002. PREDESIGN/PRECONSTRUCTION CONFERENCES. It is recommended that ACSIs attend predesign and preconstruction conferences when a construction project is complex or there is significant work that may impact compliance with FAR Part 139. This will allow the inspector to make input prior to the time of design/construction. ACSI recommendations and comments should be documented.

1003. FINAL INSPECTION OF COMPLETED PROJECTS. At the completion of a construction project involving complex or significant work the ACSI, if requested, should accompany the FAA project engineer/manager to assure compliance with FAR Part 139 standards. If problem areas are noted, coordination with airport management should be accomplished in order to bring the project up to standards.

1004. JOINT PLANNING CONFERENCES (JPC). If JPCs are conducted within the ACSI's region and FAR Part 139 issues are to be discussed, the ACSI should attend if his/her workload permits. If aware of a JPC but unable to attend, the ACSI should address any certification safety needs through FAA personnel responsible for airport planning.

CHAPTER 11. EVALUATIONS AND STAFF VISITS

1100. PURPOSE.

a. This Chapter contains guidelines for formal evaluations and staff visits for the purpose of providing staff assistance and determining the effectiveness of regional management of the Airport Certification Program. Order 1800.38A, Office of Associate Administrator for Airports Evaluation Program, and Order 1800.2E, Evaluation and Appraisal of Agency Programs are central to this function and provide national policy.

b. These guidelines are provided to assist in the evaluation of the program's performance and compliance with policies, regulations and procedures. The main objectives of these evaluations are to determine:

(1) Regional program management effectiveness,

(2) Needed improvements,

(3) Proper use of Airport Certification Safety Inspector resources,

(4) The quality of service being provided to the users and the public, and

(5) The adequacy of the present policies, programs, and regulations.

1101. FORMAL EVALUATIONS. Periodic formal evaluations assure that an in-depth progress review is accomplished, weaknesses and strengths noted and recommendations for improvement are identified. Evaluation results should be acted upon in a timely manner. Actions taken should be responsive to recommendations. Formal evaluations consist of the following elements or activities:

a. AAS-310 will conduct a full-scale evaluation of the Airport Certification Program in each region on a 3-year cycle.

b. Develop an evaluation schedule every year and provide it to the regions that will be evaluated.

c. Provide regions an evaluation guideline to assure comprehensive and uniform evaluation among the regions.

d. Conduct entrance and exit conferences with the Regional Airports Division Manager or designated representative.

e. Report promptly the results of the evaluation to AAS-1. A draft report should normally be issued within 45 days after completion of the regional evaluation.

f. The headquarters evaluator will notify the appropriate region of a proposed evaluation at least 30 days prior to the evaluation.

g. The duration of the regional evaluation will normally be 1 week and it will normally consist of two headquarters Airport Certification Specialists.

h. One or both of the Airport Certification Specialists will visit the regional office and review/evaluate documentation, files, and the ACM/ACS review and maintenance.

i. Headquarters Airport Certification Specialist will accompany Regional Airport Certification Safety Inspectors during the conduct of scheduled periodic airport certification inspections. These inspections will be coordinated well in advance to reduce disruption to the regions program and to allow for maximum utilization of time by the headquarters specialists.

1102. STAFF VISITS. These are informal visits generally made for the purpose of providing assistance, clarifying policy and conducting an informal review of Regional Airport Certification Program management with regional Airport Certification Safety Inspectors. They are intended to be informal and to discuss problems, program accomplishments and improve regional/headquarters dialogue and consistency of policy interpretations. They will consist of the following elements or activities:

a. AAS-310 will attempt to conduct a staff visit to each region once a year except during the year of the formal evaluation providing resources are available.

b. Develop a staff visit schedule every year and provide it to the regions.

c. Conduct an informal conferences with the airports division manager or the designated representative.

d. The headquarters Airport Certification Specialist will notify the appropriate region of a proposed staff visit at least 4 weeks prior to the proposed visit to arrange an acceptable date.

e. The staff visit will normally consist of a 1 to 2 days visit of the regional office and in certain instances accompany an inspector during a scheduled Airport Certification Inspection. The staff visit will be conducted by one headquarters Airport Certification Specialist.

f. The visit will concentrate on informal discussions of airport certification problems and issues generated by headquarters or the region.

g. There will not be a formal report of the proceedings of the discussions to allow for open discussions between the regional staff and headquarters personnel. However, requested headquarters follow-up items will be documented.

1103.-1199. RESERVED.

APPENDIX 1—DOD EXEMPTIONS

Exemption No. 12656

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
DEPARTMENT OF TRANSPORTATION
WASHINGTON, DC 20591

* *

In the matter of the petition of

THE DEPARTMENT OF DEFENSE

for exemption from certain requirements of Part 139 of the Federal Aviation Regulations

* *

GRANT OF EXEMPTION

By letter dated May 7, 1993, Mr. Frank J. Colson, Executive Director, DOD Policy Board on Federal Aviation, petitioned on behalf of the Department of Defense (DOD) for renewal of Exemption No. 2129, as amended. Exemption No. 2129, as amended, which expired June 1, 1993, exempted the DOD from the requirements of Part 139 of the Federal Aviation Regulations (FAR) to the extent necessary to permit issuance of FAA Airport Operation Certificates (AOC) for airports operated by DOD that serve air carrier aircraft having a seating capacity of more than 30 passenger seats, without complying with the certification and operating requirements of Part 139.

The petitioner requests relief from the following FAR Part:

> Part 139, which addresses certification and operations for land airports serving certain air carriers.

The petitioner supports its request with the following information:

> The continuance of such flights is necessary to support national defense requirements.

The FAA has determined good cause exists for not publishing a summary of the petition in the *Federal Register* because granting the request would not set a precedent.

The FAA analysis/summary is as follows:

Although DOD requested an extension of Exemption No. 2129, its petition was not received in time to process its request before the exemption expired. Therefore, the FAA has determined a new exemption document is warranted.

Exemption No. 2129, as amended, was issued based on a finding by the FAA that the equipment and operating standards and procedures prescribed for DOD airports DOD directives established a level of safety equivalent to that provided by Part 139 of the FAR. That finding was made after careful review and investigation of the DOD directives applicable to DOD airports including standards and procedures for the operation and maintenance of firefighting and rescue equipment capable of rapid access to any portion of the airport used for landing, takeoff or surface maneuvering of aircraft. These findings still apply. The DOD has kept the FAA advised of changes or amendments to those directives and has furnished the Assistant Administrator for Airports, FAA, Washington, DC, with copies of those changes or amendments. FAA operating experience under Exemption No. 2129, as amended, and the FAA finding of equivalency remain valid as to this petition.

In consideration of the foregoing, I find that a grant of exemption would not adversely affect safety and is in the public interest. Therefore, pursuant to the authority contained in sections 313(a), 601(c), and 612 of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), the DOD is granted an exemption from FAR Part 139 to the extent necessary to permit the issuance of AOC's for those DOD airports equipped and operated in accordance with applicable DOD standards and procedures, and which serve or expect to serve air carrier operations of the type requiring airport certification under FAR Part 139, subject to the following conditions and limitations.

1. The DOD shall verify annually to the Director of the Office of Airports Safety and Standards that DOD airports certificated under this exemption are equipped and operating in accordance with DOD standards and procedures.

2. The DOD shall advise the Director of the Office of Airports Safety and Standards of any change or amendment to DOD directives relating to airport equipment or operation, and shall furnish the Director of the Office of Airports Safety and Standards with a copy of any such change or amendment.

3. The DOD shall ensure that the civil tenants on airports certificated under this exemption comply with applicable DOD directives.

4. The DOD shall make all applications for AOC's under this exemption to the Director of the Office of Airports Safety and Standards.

Unless sooner superseded or rescinded, this exemption expires September 30, 1995.

ORIGINAL SIGNED BY:
Raymond T. Uhl

Raymond T. Uhl
Acting Director, Office of Airport Safety and Standards

Issued in Washington, DC, on September 27, 1993

APPENDIX 2—SAMPLE ECOLOGICAL STUDY CORRESPONDENCE

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Wildlife Ecological Study

In reference to your letter dated (date), the person to contact with Animal Damage Control for the conduct of an ecological study, in the state of (state), is as follows:

Mr. (Name)
USDA Animal Damage Control
(Address)
(City, State)
(Phone Number)

An ecological study, acceptable to the Administrator, shall contain at least the following:

a. Analysis of the events which prompted the study.

b. Identification of the species, numbers, locations, local movements, and daily and seasonal occurrences of wildlife observed.

c. Identification and location of features on and near the airport that attract wildlife.

d. Description of the wildlife hazard to air carrier operations.

Upon its completion, please submit the Ecological Study to our office for determination on whether or not there is a need for a Wildlife Hazard Management Plan. In reaching this determination, we will consider the following four factors:

a. The findings of the Ecological Study;

b. The aeronautical activity at the airport;

c. The views of the certificate holder and the airport users; and

d. Any other factors bearing on the matter of which we are aware.

Enclosed is a copy of Advisory Circular 150/5200-xx, Wildlife Hazard Management, which will assist you in the conduct of an Ecological Study.

If you have any other questions concerning this matter, please contact our office.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

Enclosure

cc: (APHIS contact)

APPENDIX 3—AIRPORT OPERATING CERTIFICATION APPLICATION, FAA FORM 5280-1

Form Approved OMB No. 2120-0063

US Department of Transportation
Federal Aviation Administration

APPLICATION FOR CERTIFICATE
☐ AIRPORT OPERATING CERTIFICATE
☐ LIMITED AIRPORT OPERATING CERTIFICATE

FAA USE ONLY
Site Number

Complete all sections of the form as indicated. Submit original and three copies of the form and two copies of the Airport Certification Manual or Airport Certification Specifications to the headquarters of the appropriate FAA Regional Office.

Type of Submission (Check one)	FOR	Type of Airport (Check all applicables)
☐ Original ☐ Amendment ☐ Exemption		☐ Airport ☐ Heliport ☐ Stolport ☐ Seaplane Base

A. Location of Airport

1. Name of Airport	2. Address (Number, Street, P.O. Box)		
3. City	4. County	5. State	6. Zip Code
6b. Latitude ° ' "	6a. Longitude ° ' "	7. Airport is a. State Licensed ☐ Yes ☐ No; b. State Inspected ☐ Yes ☐ No	

B. Operated By

1. ☐ Muncipality ☐ State ☐ Military ☐ Corporation ☐ County ☐ Other (explain) _____ ☐ Port Authority ☐ FAA _____	2. Joint Use Airport Is ☐ Mil/Civ Joint Use ☐ Civ/Mil Joint Use
3. Name of Owner	3. Name of Manager/Operator
Number/Street/P.O. Box	Number/Street/P.O. Box
City County State Zip	City County State Zip

C. Operative Date

1. Firefighting Equipment (Check Current Index) ☐ A ☐ B ☐ C ☐ D ☐ E	2. Currently Equipped for IFR Operation (Check One) ☐ Yes ☐ No
3. Air Carriers Currently Served (TWA, UAL, etc.)	
4. Air Carrier Aircraft Currently Served (727, DC-9, etc.)	

D. Remarks ☐ Check here and use reverse side of this sheet.

E. Certification

This application, which includes the Airport Certification Manual or Airport Certification Specifications submitted as a part of the application, is submitted in order to obtain an Airport Operating Certificate or Limited Airport Operating Certificate I certify, under pentalty of 18 U.S. Code, Section 1001 and other applicable provisions of law, that the statements and information in the application form and manual or specifications are complete and true to the best of my knowledge.

Applicant Signature		Applicant Address/Number/Street or P.O.	
Applicant Name (typed)		City	
Applicant Title	Date Submitted	State Zip	Telephone No. ( ) -

FAA USE ONLY

1. Date Application Received		2. Date Proposed for Inspection	
3. Date Inspection Completed		Signature	Title
4. Recommended for ☐ Certificate ☐ Modification ☐ Disapproval	Date	Signature	Title
5. Remarks			

FAA 5280-1 (2-88) Supersedes Previous Edition

U.S. Department of Transportation
Federal Aviation Administration

AIRPORT OPERATING CERTIFICATE

This certifies that

has met the requirements of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed thereunder for the issuance of this certificate, and is hereby authorized to operate as a certificated airport in accordance with and subject to said Act and the rules, regulations, and standards prescribed thereunder, including but not limited to 14 C F R Part 139, and any additional terms, conditions, and limitations contained herein.

This certificate is not transferable and, unless sooner surrendered, suspended or revoked, shall continue in effect.

Effective Date:

Issued at:

By Direction of the Administrator

_____
SIGNATURE

_____
TITLE

APPENDIX 5—INSPECTION CONFIRMATION LETTER

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Scheduled Annual Certification Inspection

As discussed by telephone, the annual certification inspection of (Airport) is scheduled (Date(s)). Please have the following information and records available during the inspection:

a. Number of based aircraft, for the Airport Master Record.

b. Number of operations for the previous 12 months, for the Airport Master Record.

c. ARFF training curriculum and personnel training records.

d. Basic emergency medical care training curriculum and certificates.

e. Quarterly inspection records of fueling agent physical facilities, for the previous 12 months.

f. Annual certification of training for each fueling agent.

g. Documentation of the annual review of the Airport Emergency Plan.

h. Documentation of the triennial exercise of the Airport Emergency Plan.

i. Records of safety inspections for the previous 6 months, including records showing all corrective actions taken, such as work orders.

j. Any records of accidents or incidents on movement areas involving air carrier aircraft and/or ground vehicles.

If you have any questions concerning the inspection, please contact our office.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

APPENDIX 6—AIRPORT CERTIFICATION/SAFETY INSPECTION CHECKLIST, FAA FORM 5280-4

OMB Approval Not Required

AIRPORT CERTIFICATION/SAFETY INSPECTION CHECKLIST (ABBREVIATED)

Airport Name	Associated City, State	Site No.
Certificate Holder	Current A-26	ACR OPNS Over 30 Seats (Check) SKED: ☐ Yes ☐ No UNSKED: ☐ Yes ☐ No
Inspector	Insp. Date	**S** = Satisfactory **U** = Unsatisfactory **N/A** = Not Applicable remarks required

	S	U	N/A
139.111 EXEMPTIONS - NO. ON RECORD ( )			
1. Justification Still Valid			
2. Compliance With Exemption			
3.			
139.201 - .217 ARPT CERTIFICATION MANUAL/SPECIFICATIONS			
1. Compliance with ACM/ACS			
2. Preparation			
3. Content			
4. Maintenance			
5.			
139.303 PERSONNEL			
1. Sufficient Qual Pers			
2.			
139.305 - .307 PAVED/UNPAVED AREAS			
1. Lips/Slopes			
2. Holes			
3. Cracks/Surface Variations			
4. Debris/Contaminants			
5. Compaction			
6. Drainage/Ponding			
7.			
139.309 SAFETY AREAS			
1. Dimensions			
2. Ruts/Surface Variations			
3. Drainage			
4. Support Aircraft/Equipment			
5. Objects in Area/Mounting			
6.			
139.311 MARKING AND LIGHTING			
1. Runway Marking			
2. Taxiway Marking			
3. Hold Lines			
4. Runway/Taxiway Signs			
5. Runway Lighting			
6. Taxiway Lighting			
7. Rotating Beacon			
8. Obstruction Lighting			
9. Other Lighting - Shielding			
10. Approach Lighting - Type			
11.			
12.			
13.			
14.			

	S	U	N/A
139.313 SNOW AND ICE CONTROL			
1. Prepare/Maint/Execute Plan			
2. Plan - On Movement Area			
3. Plan - Off Movement Area			
4. Plan - Approved Materials			
5. Plan - Timely Implement			
6. Plan - ACR Notification			
7.			
139.315 - .319 ACFT RESCUE AND FIREFIGHTING			
1. Equipment/Agent for Index			
2. Agent Discharge Equip/Rate			
3. Reduction From Index RQMT			
4. Vehicle Communications			
5. Vehicle Marking/Lighting			
6. Vehicle Readiness			
7. Response Drill (No. Veh)			
8. Personnel - Equip Provided			
9. Personnel - Training			
10. Personnel - Live Fire Drill			
11. On Duty RQMT			
12. Alerting Procedures/Equip			
13. Emergency Access Roads			
14.			
139.321 HAZARDOUS MATERIALS			
1. Cert Holder as Cargo Agent			
2. Non-Cargo Mat Safety Stnds			
3. Cert Hold Compl Safe Stnds			
4. Agent Compl Safety Stnds			
5. Inspect Other Agent Facilities			
6. Fueling Agent Training Cert			
7. Notify FAA of Non-Compliance			
8.			
139.323 TRAFFIC/WIND INDICATORS			
1. Windcones - Placement/Light			
2. Segmented Circle			
3.			
139.325 AIRPORT EMERGENCY PLAN			
1. Proc for Listed Emerg (8)			
2. Incl/Address Items List (7)			
3. Prvd for Listed Functions (4)			
4. Alerting PTCP Agencies			
5. Water Rescue Provisions			
6. PTCP Agencies Coord/Develop			
7. ARPT Personnel Fam/Trng			
8. Twelve Month Review			
9. Triennial Exercise			
10.			

FAA Form 5280-4 (12-87) Supersedes Previous Edition

	S	U	N/A
139.327 SELF-INSPECTION PROGRAM			
1. Inspect Daily or As Required			
2. Equip/Personnel for Insp			
3. Notification to ACR			
4. System for Correcting Cond			
5. Records Prep/Retention			
6.			
139.329 GROUND VEHICLES			
1. Limit Access Mov/Saf Areas			
2. Opns Proc in Mov/Saf Areas			
3. Vehicle Control with ATCT			
4. Vehicle Control - No ATCT			
5. Vehicle Operator Training			
6. Accident Records Avbl			
7.			
139.331 OBSTRUCTIONS			
1. Objects Removed/Mkd/Ltd			
2.			
139.333 PROTECTION OF NAVAIDS			
1. Prevent Derogating Const			
2. Protect NAVAIDS from Damage			
3. Prevent Signal Interruption			
4.			
5.			
6.			
7.			

	S	U	N/A
139.335 PUBLIC PROTECTION			
1. Prevent Inadvert Entry			
2. Prvd Protect from ACFT Blast			
3.			
139.337 WILDLIFE HAZARD MANAGEMENT			
1. Ecological Study When Reqrd			
2. Ecological Study Content			
3. Ecological Study to Admin			
4. Wildlife Plan Approval			
5. Alleviate Wildlife Hazards			
6.			
139.339 AIRPORT CONDITION REPORTING			
1. Info Collection/Dissemination			
2. Use of NOTAM/Other Systems			
3. Arpt Cond Incl in Coverage			
4.			
139.341 IDENTIFY AND MARK CONSTRUCTION			
1. Mark/Lgt Areas & Equipment			
2. Pre-Construction Review			
3.			
139.343 NONCOMPLYING CONDITIONS			
1. Limit ACR OPNS to Safe Areas			
2.			

Remarks - Narrative

APPENDIX 7—ARFF TRAINING CHECKLIST

Training Curriculum	Training Subjects	Randomly Selected Personnel Training Records		
	Airport Familiarization			
	Aircraft Familiarization			
	ARFF Personnel Safety			
	Airport Emergency Communications			
	Use of Hoses, Nozzles, Turrets			
	Application of Extinguishing Agents			
	Aircraft Evacuation Assistance			
	Firefighting Operations			
	Aircraft Cargo Hazards			
	Airport Emergency Plan			
Live Fire Drill in the Past 12 Months				

Basic Emergency Medical Care

Training Curriculum	Training Areas
	Bleeding
	Cardiopulmonary Resuscitation (CPR)
	Shock
	Primary Patient Survey
	Injuries to the Skull, Spine, Chest, and Extremities
	Internal Injuries
	Moving Patients
	Burns
	Triage
	Course is at least 40 hours.
	Evidence of successful completion. (Test/Certificate)
	Personnel are current.
	At least one qualified person on duty.
	Adequate number of personnel trained.

APPENDIX 8—FUEL STORAGE AREA

FIRE SAFETY INSPECTION

FUEL STORAGE AREAS & LOADING/UNLOADING STATIONS

Airport _____ Date _____

Fueling Agent _____ Inspector _____

	JET A SECTION			100LL SECTION					
	S	U	R	S	U	R	S	U	R
Fencing/Locks									
No Smoking Signs									
Fuel Leaks									
Fire Extinguishers (Two 20-BC)									
Emergency Cutoff-Loading Stations									
Deadman Control-Loading Stations									
Bonding Cable-Loading Stations									
Fuel System Bonded & Grounded									
Piping Protected									
Condition of Hoses									
Evidence of Smoking									
Ignition Sources									
Additional Local Fire Code Standards									
Grounding Rods Available									
Fueling Procedures Observed									
Personnel Training Requirements									

S - Satisfactory
U - Unsatisfactory
R - Remark

REMARKS:

9-68

APPENDIX 9—MOBILE FUELER CHECKLIST

Airport _____ Date _____

Fueling Agent _____ Inspector _____

	Truck No.								
	Fuel Type								
	S	U	R	S	U	R	S	U	R
No Smoking Signs									
Flammable Signs/Placards									
Fire Extinguishers (Two 20-BC)									
Emergency Fuel Cutoffs/Marked									
Grounding/Bonding Cables									
Condition of Hoses									
Deadman Controls									
Piping Protected									
Gasketed Dome Covers									
Fuel Leaks									
Vehicle Exhaust Systems									
Ignition Sources									
Evidence of Smoking									
Fuel Vehicle Parking									
Additional Local Fire Code Standards									

S - Satisfactory
U - Unsatisfactory
R - Remark

REMARKS:

9-88

APPENDIX 10—LETTER OF CORRECTION, FAA FORM 5280-6

Letter of Correction

1. Airport Manager *(Name)*		4. FAA Airport Certification Inspector *(Name)*	
2. Airport Name	Site Number	5. FAA Office	Region
3. Address *(Street or P.O. No., City, State, ZIP Code)*		6. Address *(Street or P.O. No., City, State, ZIP Code)*	
7. Type of Operating Certificate ☐ Airport Operating Certificate ☐ Limited Airport Operating Certificate			8. Certificate Date
9. Type of Airport Certification Safety Inspection ☐ Perodic ☐ Surveillance			10. Inspection Date
11. FAA Contact			12. EIR Number

Inspection of the above named airport has revealed that it is not in compliance with all of the requirements of FAR Part 139, the Airport Certification Manual/Specification, and the Airport Operating Certificate.

We have given consideration to all available facts and concluded that this matter does not warrant legal enforcement action. In lieu of such action we are issuing this letter which will be made a matter of record. We will expect your future compliance with the regulations. Please advise, by return of this form, when discrepancies are corrected.

The individual identified in item 11 must be notified if corrections are not completed by the agreed upon date.

13. FAR Part 139 Violations Noted			14. Discrepancies Corrected *(To Be Completed by Airport Personnel)*	
a. FAR 139 Reference	b. Discrepancy	c. Correction Date	a. Date	b. By *(Initials)*
	Location			
	Location			
	Location			

SAMPLE

☐ **Check if Comments/Recommendations attached** — comments and recommendations concerning aviation safety which are not required by FAR Part 139 are noted on atached sheet.

By signature below, assurance is given that violations noted above will be corrected by the dates in item 13c and a copy of this letter returned by 15 calendar days following the completition of all discrepancy corrections.

Date	Signature of Authorized Airport Official	Signature of FAA Airpoort Certification Safety Inspector

FAA Form 5280-6 (10-94) Copy 1 — **Airport Manager / RETURN TO FAA** NSN: 0052-00-881-2002

PAGE of Pages

Letter of Correction
(Supplemental Sheet)

1. Airport Manager *(Name)*		4. FAA Airport Certification Inspector *(Name)*	
2. Airport Name	Site Number	5. FAA Office	Region

13. FAR Part 139 Violations Noted			14. Discrepancies Corrected *(To Be Completed by Airport Personnel)*	
a. FAR 139 Reference	b. Discrepancy	c. Correction Date	a. Date	b. By *(Initials)*
	Location			
	Location			
	Location			
	Location			
	Location			
	Location			

SAMPLE

☐ **Check if Comments/Recommendations attached** — comments and recommendations concerning aviation safety which are not required by FAR Part 139 are noted on atached sheet.

By signature below, assurance is given that violations noted above will be corrected by the dates in item 13c and a copy of this letter returned by 15 calendar days following the completition of all discrepancy corrections.

Date	Signature of Authorized Airport Official	Signature of FAA Airpoort Certification Safety Inspector

FAA Form 5280-6.1 (10-94) Copy 1 — Airport Manager / RETURN TO FAA NSN: 0052-00-917-3000

LETTER OF CORRECTION - LONG FORMAT

When the Airport Certification Safety Inspector (ACSI) determines that the FAA FORM 5280-6 - LETTER OF CORRECTION is inappropriate for use for any reason, the following format shall be used:

Attention: Name-Airport Manager
Name of Airport & Site No.
Street or Box Address
City or Town, State - Zip

Dear Name-Airport Manager:

A (periodic/surveillance) inspection of the (above named) airport on (list dates) by (name Inspector) for requirements related to Federal Aviation Regulation Part 139 and the (airport operating certificate/limited airport operating certificate) issued (date of issue) revealed that it is not in compliance with all of the requirements of FAR Part 139, the Airport Certification Manual/Specification and the (Limited) Airport Operating Certificate.

We have given consideration to all available facts and concluded that this matter does not warrant legal enforcement action. In lieu of such action we are issuing this letter which will be made a matter of record. We will expect future compliance by the airport with the regulations. Please advise (name of FAA contact) at (FAA office, region and address) by return of this letter, when the discrepancies are corrected.

DISCREPANCIES: Identify discrepancies by regulation paragraph number, with its description and location.

(agreed correction date) (date corrected) (init. arpt. rep.)

NOTE: (Continue until all discrepancies found are listed)

By signature below, assurance is given that the dates shown for items to be corrected were as agreed to during the exit interview on (date of exit interview) and all items were corrected on the dates indicated in the space provided in this letter. Please sign and return this letter within 15 days of completion of the last discrepancy.

Certification Inspector

I certify that all discrepancies listed above were corrected on the dates indicated.

(date) Signature-Airport Manager

APPENDIX 11—LETTER OF INVESTIGATION

CERTIFIED

(Date)

File Number: (EIR Number)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Letter of Investigation

This letter is in reference to a reported unauthorized crossing of an active runway at your airport January 9, 1988. Information reported to our office indicates that a fuel truck belonging to "XXXX" Aviation crossed Runway 17R without ATCT authorization. This runway incursion appears to be a violation of Part 139 of the Federal Aviation Regulations.

This letter is to inform you that this incident is under investigation by the Federal Aviation Administration. We offer you an opportunity to submit a written statement on this matter. If you desire to do this, the action should be accomplished within 10 days following receipt of this letter. Your statement should contain all pertinent facts and any extenuating or mitigating circumstances which you feel may have a bearing on this incident from an airport-related viewpoint.

If we do not hear from you within the specified time, our report on this matter will be processed for action without the benefit of your statement.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

APPENDIX 12—INVESTIGATION CLOSE-OUT LETTER

(Date)

File Number: (EIR Number)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Closing of Investigation
Federal Aviation Regulation (FAR) Part 139

On April 1, 1988, you were advised that the Federal Aviation Administration was investigating an incident which reportedly involved the unauthorized access of active Runway 13/31 by an 18-wheel tractor trailer.

This letter is to inform you that our investigation of this incident which occurred on March 28, 1988, has not established a violation of FAR Part 139. You may consider the matter closed relating to FAR Part 139.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

APPENDIX 13—WARNING LETTER

(Date)

File Number: (EIR Number)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Warning Letter
Federal Aviation Regulation Part 139 Violation

At 2:55 p.m., April 25, 1988, the Air Traffic Control Tower (ATCT) observed an Aircraft Rescue and Firefighting (ARFF) vehicle proceed across Runway 30R without ATCT authorization.

Investigation of the matter revealed that the operator of the vehicle crossed Runway 30R without ATCT authorization due to failure to adequately monitor communications with the ATCT. This situation is contrary to Section 139.201 of Federal Aviation Regulation Part 139 which in part states, "...each certificate holder shall comply with an approved airport certification manual...."

It is obvious that if an aircraft had collided with the ARFF vehicle, serious consequences may have resulted. It is imperative that all personnel authorized to operate a ground vehicle on movement areas be thoroughly indoctrinated with the airport procedures for safe and orderly operation of a ground vehicle on the movement areas.

In closing this case, we have given consideration to all available facts and have concluded that the matter does not warrant legal enforcement. In lieu of such action, we are issuing this letter which will be made a matter of record.

We feel that appropriate action was taken by airport management, against the ARFF vehicle operator, through reprimand and mandatory retraining. We will expect your future compliance with the regulations.

Sincerely,

(Manager)
Manager, Airports Division

APPENDIX 14—DISCREPANCY CLOSE-OUT LETTER

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
FAR Part 139 Discrepancy Close-Out

In reference to the Letter of Correction issued on September 10, 1988, you have indicated that the discrepancy to FAR Part 139 has been corrected by September 17, 1988. You are to be commended for the expeditious correction of this discrepancy.

You may consider this letter as official notification that the discrepancy to FAR Part 139, from the annual certification inspection, is closed.

Thank you for your cooperation.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

APPENDIX 15—INSPECTION CLOSE-OUT LETTER

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Annual Certification Inspection Close-Out

The annual certification inspection of (Airport) was conducted on (Date). The inspection revealed that the airport is being operated in compliance with Federal Aviation Regulation Part 139, the Airport Certification Manual, and the Airport Operating Certificate.

You are to be commended for the procedures that you are using in the day-to-day operation of the airport. The appearance of the airport indicates that they are effective.

Thank you for your cooperation during the inspection and please do not hesitate to call if we may be of assistance.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

APPENDIX 16—AIRPORT CERTIFICATION ACTIVITY REPORT, FAA FORM 5200-6

RIS: AS 5200-4

AIRPORT CERTIFICATION ACTIVITY REPORT

Region | Month

Airport Name (1)	City, State (2)	Action* (3)	Inspector (4)	Remarks (5)

Signature *(Manager, Airports Division)*

***ACTION CODE:** *(See definitions on reverse)*

A — Annual Inspection
C — Letter of Correction
D — Certification Action
E — Enforcement Action (Legal)
I — Accident or Incident Investigation
L — Letter of Investigation
T — Training
W — Warning Letter
X — General

FAA Form 5200-6 (10-88) Supersedes Previous Edition

DEFINITIONS

A — Annual Inspection — Inspection of an airport that is performed at a regular inverval. This inspection might also be the initial inspection.

C — Letter of Correction — Administrative enforcement action issue where there is a correctable situation and an agreement is reached with the airport management that corrective action acceptable to the FAA is taken, or will be taken within a reasonable time.

D — Certification Action — Report any new certificate or any change in type of certificate issued, to include effective dates.

E — Enforcement Action (Legal) — Denotes legal action taken as a result of an annual or follow-up inspection.

I — Accident or Incident Investigation — Action performed as the result of an accident or incident.

L — Letter of Investigation — Administrative enforcement action when legal enforcement sanctions are possible.

T — Training — Report participation in special schools or training classes such as ARFF, Fueling, etc. Applicable to certification inspectors only.

W — Warning Letter — Administrative enforcement action. Normally used when no corrective action is necessary and the circumstances do not warrant legal action.

X — General — "Catch all" category to report anything you feel helpful to FAA Headquarters.

APPENDIX 17—TOWER CHIEF INTERVIEW CHECKLIST

AIRPORT -

DATE -

RUNWAY TRANSGRESSION PROBLEMS -

MARKING AND SIGNING ACCEPTABLE -

NOTAM PROCEDURES -

RUNWAY CONDITION ASSESSMENT PROCEDURES -

XXXX - HOW HANDLED -

GROUND VEHICLES - PERMISSION BEFORE ENTERING TAXIWAYS -

BIRD HAZARDS -

DEER HAZARDS -

INADVERTENT ENTRY PROBLEMS -

MOVEMENT AREA LETTER OF AGREEMENT -

CONDITION AND MAINTENANCE OF RUNWAY & TAXIWAY LIGHTING -

ARFF ALARM AND COMMUNICATION PROCEDURES -

REMARKS -

APPENDIX 18—ENFORCEMENT INVESTIGATIVE REPORT, FAA FORM 2150-5

(R E S E R V E D)

APPENDIX 19—CERTIFICATION ACTION LETTER

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Airport Operating Certificate

This will advise you that your application for an Airport Operating Certificate for (Airport), (City, State), has been approved. It has been detrmined that (Airport) is in compliance with the intent of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed thereunder for issuance of an Airport Operating Certificate. You, therefore, are authorized to operate as a certificated airport in accordance with and subject to said Act and the rules, regulations, and standards prescribed thereunder, including but not limited to, 14 CFR Part 139, and any additional terms, conditions, or limitations as prescribed in your approved Airport Operating Certificate.

Enclosed is your Airport Operating Certificate which has been duly signed. Upon receiving the certificate, please return the Limited Airport Operating Certificate to the Federal Aviation Administration, Airports Division.

Sincerely,

(Name)
Manager, Airports Division

Enclosure

APPENDIX 20—LIMITED CERTIFICATE LETTER

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Limited Airport Operating Certificate

Your application to change to a Limited Airport Operating Certifcate for (Airport), (City, State), has been approved. It has been detrmined that the (Airport Owner) is in compliance with the intent of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed thereunder for issuance of a Limited Airport Operating Certificate. You, therefore, are authorized to operate as a limited certificated airport in accordance with and subject to said Act and the rules, regulations, and standards prescribed thereunder, including but not limited to, 14 CFR Part 139, and any additional terms, conditions, or limitations as prescribed in your approved Limited Airport Operating Certificate.

Enclosed is your Limited Airport Operating Certificate which has been duly signed. Upon receiving the certificate, please return the Airport Operating Certificate to the Federal Aviation Administration, Airports Division.

Sincerely,

(Name)
Manager, Airports Division

Enclosure

APPENDIX 21—GRANTS OF EXEMPTION

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Exemption to Federal Aviation Regulation Part 139

Your request for an exemption from the requirements of Section 139.321(e) of the Federal Aviation Regulations has been received and it has been determined that an exemption, with an expiration date of (date), should be issued.

Enclosed is the Grant Exemption. We request that you advise us as soon as you are in full compliance with the requirements of Section 139.321 of the Federal Aviation Regulations.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

Enclosure

APPENDIX 22—AIRPORT CERTIFICATION MANUAL/SPECIFICATION LETTERS

(Date)

Mr. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

(Airport)
(City, State)
Revision to Airport Certification Manual/Specification

The revision to your Airport Certification Manual (ACM)/Specification (ACS), dated (date), has been reviewed and approved. Please distribute copies of the revision to the holders of your ACM listed on your Distribution List. Each existing ACM should be updated in accordance with this revision.

Sincerely,

(Inspector)
Airport Certification & Safety Specialist

Enclosure

APPENDIX 23—LETTER OF AUTHORIZATION

(Date)

Mr./Mrs./Ms. (Name)
(Title)
(Airport)
(Address)
(City, State)

Dear Mr. (Name):

Under the authority granted me in accordance with the provisions of Federal Aviation Regulation Part 139.101(b); you are hereby authorized to permit the following unscheduled air carrier operations by an aircraft with more than 30 passenger seats at the _____Airport in (City), (State):

Carrier	Aircraft Arrival	Departure Dates	
Delta	B-737	8:00am to 11:00 am	6/1/93
		11:00am to 4:00 pm	6/2/93

This authorization is granted with the understanding that the city of _____will provide fire fighting equipment with a minimum capacity of _____gallons of water for AFFF production along with appropriate personnel. This equipment will be positioned at the airport a minimum of fifteen (15) minutes before the arrival and departure operations of this aircraft and will remain until a minimum of 15 minutes after the operation is complete.

Sincerely,

(Manager)
Manager, Airports Division
(Region)

APPENDIX 24—TEST FOR EVALUATING FOAM PROPORTIONING EQUIPMENT ON ARFF VEHICLES USING A REFRACTOMETER

1. **PURPOSE.** This test provides procedures for evaluating the foam proportioning systems installed on ARFF vehicles.

2. **CAUTION.** This test is not intended, nor should it be used, to test the reliability or quality of foam in a concentrated form. The refractive reading of a foam concentrate will vary from manufacture to manufacture and from batch to batch. A low or high number reading for a foam concentrate is not an indication of its ability to do the work intended. If for some reason a foam concentrate is believed to be unreliable or of poor quality, the manufacture should be made aware by the airport sponsor.

3. **USING THE REFRACTOMETER.**

a. A refractometer is used to read the refractive index of a liquid. A refractive index is a measure of the concentration of a solution or the percentage of solids in a solution or mixture.

b. In order to read the refractometer, place a few drops of liquid on the prism and expose it to a bright source of light. Tilt the instrument toward the light until optimum contrast is noted between bright and dark areas on the scale. Focus the eye piece as necessary and observe the scale reading where the bright and dark areas meet.

4. **DETERMINING THE REFRACTIVE INDEX OF AFFF.**

a. Place a few drops of water (this water needs to come from the same source as that used to replenish the ARFF vehicle) and calibrate the scale to "0."

NOTE (1): The prism must be thoroughly cleaned after each reading of each water, concentrate, or solution.

NOTE (2): Focus and calibration of the refractometer should be performed in accordance with the manufacturer's instructions.

b. Determine the refractive index of an AFFF solution by first attaining the refractive index of the AFFF concentrate and than determining the AFFF/water ratio using the following formula:

$$\% \text{ of foam in solution} = \frac{\text{refractometer reading of solution}}{\text{refractometer reading of pure foam concentrate}} \times 100$$

O R

pure concentrate X % of solution = reading of solution

Example: Pure foam concentrate tested with a reading of 18.0. For a 6% solution of foam to water the refractometer reading should be 18.0 X 6% = 1.08.

5. **TEST PROCEDURE.**

a. A check of the proportioning system can be accomplished through the following steps:

(1) Make sure that the refractometer is in calibration as stated in 4a.

(2) Check the water tanks on the truck. A refractometer reading of "0" shows the water to be uncontaminated. This check has revealed in several trucks a leaking foam bladder and in one truck the addition of a "tank saver" anti-corrosion soluble oil.

(3) Check to see whether foam is 3 percent or 6 percent. This is essential to determine proper foam proportion setting.

(4) Have the ARFF crew draw a sample from the truck's foam bladder and calculate what the refractive index of the foam solution should be as stated in 4b.

(5) Test the truck for proper foam proportioning:

(a) Generally start with the roof turret. In an emergency this is the primary system and would be using foam at the greatest rate.

(b) Have the vehicle operator bring the truck to proper discharge pressure as stipulated in their ARFF vehicle operating manual (most vehicles are in the 225 psi to 275 psi range).

(c) Discharge the turret using water and foam and allowing time to get a uniform mix, then have the operator stop the discharge. Stand next to the turret nozzle and, using a cup or other small container, collect the runoff liquid as it flows from the base of the nozzle.

(d) Using an eyedropper, collect a sample of the liquid from the cup and place it on the refractometer and take a reading. This reading will give the refractive index of the solution, and percentage of foam to water the turret system is producing can then be determined. Be sure to read the liquid, not the bubbles. The bubbles will not give an accurate solution reading.

(e) Using the procedure described in (d) above, check the handline and under truck nozzles.

6. TOLERANCE OF THE PROPORTIONER PRODUCT. A foam concentrate proportioning system controls the ratio of foam concentrate to water in the foam/water solution being discharged from all orifices normally used for ARFF operations.

a. The proportioning system for a 6 percent concentrate should be sufficiently accurate to provide for the discharge of finished foam within the range of 5.5 percent to 7.0 percent foam concentrate in the discharged foam/water solution.

b. If a foam concentrate of 3 percent is issued, the concentrate range in the discharged solution should be 2.8 to 3.5 percent.

APPENDIX 25—FORMAT FOR AN EXEMPTION DOCUMENT

Exemption No. XXX
UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
DEPARTMENT OF TRANSPORTATION
WASHINGTON, DC 20591

* *

In the matter of the petition of

XXXXXXXXXX **Regulatory Docket No. XXX**

for exemption from § XXXXX
and XXXX of the Federal
Aviation Regulations

* *

GRANT OF EXEMPTION

By letter dated xxxx, 19xx, Mx. xxx x. xxxxx, xxxxx, xxxx xxxx xxxx, petitioned for an exemption from § xxxx and xxxx of the Federal Aviation Regulations (FAR) to xxxx xxxxx xxxx xxxxxxx.

The petitioner requires relief from the following [section(s), parts, regulations, etc.]:

Section xxxxx states, in pertinent part, that xxxxxx xxxx xxxx xxxx xxxxxxxx xxxxxxxx xxx xxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxx.

Section xxxx states, in pertinent part, that xxxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxx xxxx xxxxxxxxxxxx.

The petitioner supports its request with the following:

xxxxxxxxxx xxxx xxxxxxx xxxxxxxxxx xxxx xxxxxxxxxx xxxxxxx xxxx xxxx xxxxxxx xxxxxxx xxxx xxxx xxxxxxxxxxxxx xxxx xxxxxxxxxx.

xxxxxx xxxx xxxxxxx xxxx xxxxxxxxxx xxxx xxxxxxx xxxxxxxxxx xxxx xxxxxxxxxx xxxx xxxx xxxx xxxx xxxxxxx.

xxxxxxx xxxx xxxxxxxxxx xxxxxxxxxx xxxx xxxxxxxxxx xxxx xxxxxxxxxx xxxx xxxx xxxxxxxxxxxxx.

The Federal Aviation Administration's analysis is as follows:

xxxxxxxxxx xxxx xxxxxxx xxxxxxxxxx xxxx xxxxxxxxxx xxxxxxx xxxx xxxx xxxxxxx xxxxxxx xxxx xxxx xxxxxxxxxxxxx xxxx xxxxxxxxxx.

xxxxxxx xxxx xxxxxxx xxxx xxxxxxxxxx xxxx xxxxxxx xxxxxxxxxx xxxx xxxxxxxxxx xxxx xxxx xxxx xxxx xxxxxxx.

XX-X-XXX-X

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in Sections xxx (and xxx of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), xxxxx is granted an exemption from xxx and xxx of the FAR to the extent necessary to permit xxxxxxx xxxxx xxx xxxxx xxxxxxx, subject to the following conditions and limitations:

1. xxxxxxx xxxxxxxxxxx xxx xxxxx.

2. xxxxxxx xxxxxxxxxxx xxx xxxxx xxxxxxx xxxxxxxxxx xxx xxxxx xxxxxxx xxxxxxxxxxx xxx xxxxx.

This exemption terminates on xxxx, l9xx, unless sooner superseded or rescinded.

Issued in xxxxx, xxx, on xxxxx, 19xx.

NOTES FOR FORMAT FOR AN EXEMPTION DOCUMENT

1. Exemption numbers are assigned by Rules Docket after the document has been signed.

2. If the document is issued in a certification directorate, this line would reflect the city, state, and zip code of that directorate.

3. This box contains the following information:

   a. The name of the petitioner/organization to whom the exemption is issued; and

   b. The sections from which petitioner is requesting relief.

4. The docket and number are established by the Rules Docket when the petition is received.

5. Or Partial Grant of Exemption, or Denial of Exemption.

6. This paragraph should contain the following:

   a. Date(s) of petition;

   b. Name(s) of individual(s) requesting exemption;

   c. Petitioner's mailing address;

   d. Sections from which relief is sought; and

   e. A brief description of the nature and extent of relief sought.

7. Identification of the section(s) or Part(s) of the Federal Aviation Regulations, sections of the Federal Aviation Act, etc., as applicable.

8. Two important points to remember - -

   a. It is not necessary or recommended that each section be set forth in its entirety, particularly if the petitioner only requests relief from a paragraph or portion of a section.

   b. Identify those sections that are affected, but were not mentioned by the petitioner.

9. Paraphrase and/or summarize the information, views, and/or arguments provided by the petitioner in support of the action sought. Identify all key points made by the petitioner.

10. The project number is listed at the bottom left corner of the first page of each exemption document. This project number is assigned by the Office of Rulemaking.

11. This section should contain - -

   a. The agency's analysis of the petition (include the agency's position on each point raised in the petition);

   b. The agency's analysis of each comment received in response to publication of the petition summary; and

   c. Any background information that would explain the agency's rationale leading to its decision.

12. A paragraph or more which reflects (or states) the agency's determination on the request for exemption. Cite the following - -

   a. The agency's finding;

   b. Exemption authority provided in the Federal Aviation Act;

   c. Delegation authority provided in 14 CFR 11.53; and

   d. Sections from which petition is granted or denied exemption.

13. In most cases, a grant or partial grant of exemption is subject to conditions and limitations. There would be no conditions or limitations if the request is denied.

14 A grant of exemption normally terminates 2 years after the date of issuance. Exceptions include - -

   a. The exemption is for a specific event, e.g., an air show or championship.

   b. There is a need to monitor performance or further evaluate criteria.

c. The individual or organization expects to come into compliance with the current regulation within a given time.

d. The exemption is from an aircraft certification regulation and thus becomes a part of the type certification basis.

15. The signature block should be left blank. It is typed when the exemption is ready to be signed. Do not type the signature block on a page by itself. The page must contain at least two lines of text (excluding the "Issued in [city, state], on" entry.

16. Exemption documents issued in Washington, D.C., must be signed by the "Director" or the "Acting Director." Exemption documents issued in the region are signed by the Regional Airports Division Manager.

APPENDIX 26 - FORMAT FOR EXTENSION OF EXEMPTION

Docket No. xxx

Mr. John Doe
Director of Aviation
Bigtime Airport
P.O. Box 1234
Smallville, IN 46207-1234

Dear Mr. Doe:

This is in response to your *date*, petition on behalf of Bigtime Airport for an extension of Exemption No. xxxx from §139.xxx of the Federal Aviation Regulations. If granted, the exemption would xxxxx xxx xxxx xxx xx xxxx xxxx xxxx xxxx x xxxx xxxx xxxx xxxx xxxx xxxx xxxxxxx xx xxx xxxxxxx xxxx.

Your petition indicates that the conditions and reasons stated in the original petition remain unchanged and in effect. You also state that if this request to extend Exemption No. xxxx is granted, safety will not be compromised and the public interest will be served, because Bigtime Airport will continue to comply with the applicable conditions and limitations.

The Federal Aviation Administration (FAA) has reviewed the original petition for exemption dated - - - - -, and the petition for an extension dated - - - - -, and has determined that the conditions and reasons which resulted in the previous grant of Exemption No. xxxx, as amended, have remained unchanged. xxxx xxxxxxx xx xxxxxxx xxxx xxxx x xxxxxxx xxxx x xxxx xxxxxxxxxx xx xxxxxxx xxxx xxxxxxxxxx xxxxxxx xxxx xxxx xxxx. Accordingly, the FAA has determined that the justification for issuance of an extension of Exemption No. xxxx is valid with respect to this exemption, provided all other conditions and limitations remain the same.

In consideration of the foregoing, I find an extension to Exemption No. xxxx will provide an equivalent level of safety and is in the public interest. Therefore, pursuant to the authority contained in sections xxxx and xxxx, of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), Bigtime Airport is granted an extension of the provisions of Exemption No. xxxx to expire Date, unless sooner superseded or rescinded.

This letter shall be attached to and is a part of Exemption No. xxxx.

Sincerely,

Manager, Airports Division

AGL-93-569-E

APPENDIX 27—SHORTAGES OF TRAINED ARFF PERSONNEL

1. **REQUIREMENTS.** Past incidents involving shortages of trained ARFF personnel at certificated airports dictate a uniform approach for the regions as far as Part 139 is concerned. Compliance with their certificate dictates that "sufficient rescue and firefighting personnel are available during all air carrier operations to operate the vehicles, meet the response times, and the minimum agent discharge rates required by this part" (Section 139.319(j)(5)).

2. **AIRPORT MANAGER OPTIONS.** In the case of a shortage of trained ARFF personnel, the airport operator has essentially three major options:

a. Close the airport to air carrier operations by issuing a NOTAM when a shortage in trained ARFF personnel result that ARFF requirements of the certificate cannot be met.

b. Have the FAA determine that the airport is in violation of Section 139.319(j)(5) and have the certificate suspended, thus stopping air carriers from landing. A NOTAM is to be issued stating that the airport is closed to all air carrier aircraft with more than 30 passenger seats.

c. Provide, through prior planning and training, sufficient qualified personnel, available from a variety of sources, to operate the ARFF equipment during air carrier operations. Personnel must be determined as "qualified" by Airport Certification Safety Inspectors, after the airport operator certifies that they meet requirements of Section 139.319(j).

3. **ROLE OF THE INSPECTOR.** The Airport Certification Safety Inspector is directly involved in all three of the above options and should be prepared to fulfill that role completely.

a. **Contingency Plan.** Each airport operator should be encouraged to develop a "contingency plan" for taking action if needed, particularly where union firefighting personnel are concerned. This plan should be included in the ACM under the ARFF section or in the AEP section and, as a minimum, consist of the following:

(1) Identification of the available, qualified firefighting personnel who will immediately take over ARFF operations in the event of a shortage of trained ARFF personnel. If none are available, an airport operator may consider establishing a backup ARFF personnel program. This would require establishing a training program for available personnel, such as security, maintenance, National Guard, contract ARFF services, etc., to assist supervisory firefighting personnel in the event of a shortage of trained ARFF personnel. Airport certification personnel should ensure that any "auxiliary" or backup firefighting personnel, addressed in the ACM, are qualified by reviewing their training program and records. This may even include an actual response test to determine if those personnel can operate the ARFF equipment.

(2) Procedures to notify the Regional Airport Certification Section when there is a possibility for a shortage of trained ARFF personnel.

(3) Procedures to keep the airline tenants informed of developments as they occur.

(4) If necessary, procedures for reducing air carrier operations to that Index the airport operator is able to maintain.

(5) Procedures to file a NOTAM closing the airport to air carrier operations when sufficient qualified ARFF personnel are not available.

b. **Inspector Responsibilities.** Airport certification personnel are the key to the actions generated by the FAA during a shortage of trained ARFF personnel at a certificated airport. Responsibilities of the inspectors during a possible shortage of personnel are as follows:

(1) Advise the airport operator of the options.

(2) If a shortage of trained ARFF personnel is imminent, establish an FAA coordination point on the airport. The ATCT can be used to an advantage during a shortage of personnel.

(3) Maintain close coordination with the Regional Airports Division Manager and AAS-300 on airport status and conditions.

(4) Alert Air Traffic to the possibility of air carrier diversions to other airports.

(5) Monitor firefighting capability and be prepared to initiate a suspension of certificate if necessary. If a suspension of certificate becomes necessary, a NOTAM will be issued and the airport operator should inform all air carrier operators. If a shortage of trained ARFF personnel is imminent, the inspector may consider having the suspension paperwork prepared ahead of time.

APPENDIX 28 - GUIDELINES FOR OPERATING IN THE RUNWAY SAFETY AREA

REFERENCES:
139.329(b); 139.309(b)(4); 139.205(b)(19); 139.213(b)(16); 139.335(a)(2); FAA Order 7110.65, paragraph 3-5b.

A. FAR 139 Requirements:

1. Under FAR 139.329(b) airport operators are required to establish and implement procedures for operation of ground vehicles in the safety area as well as the movement area. FAR 139.205(b)(19) requires these procedures to be included in the ACM. While not a direct requirement at limited certificate airports, if needed these procedures can be required under FAR 139.213(b)(16).

2. FAR 139.309(b)(4) requires that no objects be in the safety areas except those fixed by function. This means signage, lights, and navaids, not personnel, vehicles, and equipment.

3. 139.335(a)(2) requires that the certificate holder provide reasonable protection of persons and property from aircraft blast. This includes personnel and equipment used for maintenance of the safety area and objects located there. In this regard safety procedures are in order.

B. Air Traffic's Order:

The Air Traffic Control Handbook, FAA ORDER 7110.65, Paragraph 3-5b states that vehicles, equipment, and personnel in direct communications with the control tower, may be authorized to operate up to the edge of an active runway surface when necessary.

C. Guidelines For Operating In The Runway Safety Area:

1. The purpose of the safety area is to minimize the injury to persons and of damage to an aircraft which inadvertently leaves the runway and, for this reason is kept sterile during aircraft operations. However, this is not intended to preclude vehicles, personnel, and equipment from going into the safety area of an open runway between aircraft operations e.g., FOD pickup, changing a light bulb, grass mowing, etc.

2. Under some circumstances it may be necessary to work in the RSA while aircraft operations are occurring, e.g., emergency repairs to a light cable. In such cases during air carrier operations, work may be conducted no closer than 200 foot of the runway centerline, with equipment and vehicles kept to the minimum number necessary for the repair. If these conditions cannot be met, the runway should be closed to air carriers while the repairs are being made.

3. The words "when necessary" as used in FAA Order 7110.65, paragraph 3-5b, are not to be construed as carte blanc for personnel, vehicles, and equipment to operate up to the edge of a runway in violation of established ground vehicle procedures.

4. For maintenance performed in the safety areas of air carrier runways closer than 200 feet from centerline during VMC, it is acceptable to close the runway to air carriers and restrict the runway use to airplane design groups I, II,and III in aircraft approach categories A and B and use the appropriate RSA dimension indicated in AC 150/5300-13, Airport Design, Table 3-1.

5. In cases requiring the closure of a runway for maintenance, the airport operator should be encouraged to schedule the work for times which will have the least impact on the national airspace system and give the local air traffic control tower advance notice when possible.

6. Airport Certification Safety Inspectors need to review these procedures at certificated airports to ensure they are adequate and safe; and where not, require a change. If an airport operator is in violation of established ground vehicle procedures or public protection requirements, then enforcement action shall be taken.

*U.S. GOVERNMENT PRINTING OFFICE: 1994-616-349/81503